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$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues

The General Assembly is doubling its prior financial commitments for behavioral and mental health infrastructure in the capital appropriations budget that was introduced Monday.

The bill includes $2.62 billion in new spending on bricks-and-mortar projects as well as a yet-to-be-disclosed amount of reappropriations for ongoing capital projects approved in prior biennia. The bill covers spending in Fiscal Years 2019-2020.

Companion House and Senate measures (HB 529 & SB 266) allocate $222 million for health and human services, developmental disabilities, mental health, addiction treatment and women's health initiative facilities over the next two fiscal years.

The fast-tracked budget, which will receive first hearings in both chambers on Tuesday, also includes $150 million in community projects - $20 million more than the original funding target - $600 million for school facilities, $514 million for local infrastructure projects and $483 million for public colleges and universities.

The state will issue bonds to fund the spending.

The expanded health and human services support funding was added in response to the growing impact of the opiate epidemic, Senate President Larry Obhof (R-Medina) said.

"So where in the prior budgets you may have seen a few of these pop up, I think it's on the minds of a lot of people and we all recognize that these are some of the more important issues facing the state of Ohio and these are some of the things we chose to prioritize."

Some of the projects set to receive a chunk of the $222 million are Alvis House and Maryhaven in Columbus, President Obhof said. The respective $300,000 and $125,000 projects would add about 260 additional treatment beds for addicts in Franklin County.

"We see these things throughout the state and not just in Franklin County, in Cuyahoga and Hamilton counties but in some of rural areas as well," Sen. Obhof said. "There are number of requests that are being funded from members throughout the state of Ohio for things like that."

Of the total allocation for such infrastructure plans, $20 million will be provided through competitive grants, which were proposed by Gov. John Kasich. (See Gongwer Ohio Report, February 12, 2018)

So-called community resiliency projects that focus on expanding spaces for youth programming would receive the funding, said Senate Finance Committee Chairman Scott Oelslager (R-N. Canton). The Department of Mental Health and Addiction Services and local groups will likely select the recipients.

"We recognize the need there and listened very carefully to the community," he said of the funding dedicated to combatting the opiate epidemic and related issues.

While that area of the budget saw a boost, overall capital appropriations shrunk by about $10 million from the last budget, Sen. Obhof said. He's hopeful, however, that it will have a similar reach.

"We think that due to sound fiscal management and the hard work we put in in the main operating budget last year, we do have the capacity for the bonding and the funding of various projects throughout the state that you see in the bill," he told reporters after the legislation was introduced.

Leaders of both parties in each chamber worked together to iron out the details prior to the measure's introduction Monday, making it ripe for quick passage.

President Obhof said he expects a Senate vote on the House version - which will serve as the vehicle for the budget - in the week before spring break, which is set to begin in late March.

Local projects were brought forward by individual members for consideration while community colleges and universities created their own priority funding packages. (See Gongwer Ohio Report, November 22, 2017)

"This capital budget will give the legislature a tremendous opportunity to address several infrastructure and construction projects that will generate a positive return on investment for communities all across the state," Speaker Cliff Rosenberger (R-Clarksville) said in a statement. "I want to commend the members of the legislature and local leaders for their collaboration and commitment to helping improve the lives of so many Ohioans through this legislation."

The capital budget has historically drawn bipartisan support as lawmakers look to support money funneled to projects in their communities. That trend is expected to continue this year.

"As legislators, we review capital budget applications, meet with individuals and organizations and visit project sites. You can't help but become passionate about what we can do to invest in Ohio's infrastructure and improve the community," Senate Minority Leader Kenny Yuko (D-Richmond Heights) said. "Although it's unfortunate that we can't fund every much-needed community project that comes to our attention, I am happy with the progress that will be made through the capital budget."

If the capital bill process follows those of prior years, no major changes will occur during deliberations unless there are problems with the bill. The last several capital budgets passed with few if any amendments once they were introduced.

Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit

Attorney General Mike DeWine on Monday announced that he has filed a lawsuit against four drug distributors for their role in the opioid epidemic.

The lawsuit, filed in Madison County Common Pleas Court, alleges that the drug distributors were negligent in over-supplying addictive opioid prescription drugs.

"We believe the evidence will show that these companies ignored their duties as drug distributors to ensure that opioids were not being diverted for improper use. They knew the amount of opioids allowed to flow into Ohio far exceeded what could be consumed for medically-necessary purposes, but they did nothing to stop it," AG Mike DeWine said in a statement.

"And much like the drug manufacturers who continue to fail to do the right thing, these distributors are doing precious little to take responsibility for their actions and help pay for the damage they have caused."

Named in the lawsuit are McKesson Corporation, Cardinal Health and its subsidiaries, AmerisourceBergen Drug Corporation and Miami-Luken, Inc.

Cardinal Health in a statement said it has been cooperating to "alleviate the public health crisis and save lives" though a multi-state effort led by 40 attorneys general and a multi-jurisdictional effort in Cleveland.

"We are extremely disappointed that Attorney General DeWine chose to go outside of these established processes at this critical moment in time to file this unfounded lawsuit," the company said in a statement.

The company went on to say that it cares deeply about the opioid epidemic and that there must be work toward meaningful solutions.

"This is why we launched our Opioid Action Program which augments our substantial efforts to combat opioid abuse and is providing funds and support for take back efforts, Narcan giveaways for first responders, and grants for communities looking to find holistic solutions to this public health issue throughout Ohio," it said.

"Cardinal Health has made a significant investment in state-of-the-art controls to effectively combat the diversion of pain medications from legitimate uses. We believe this kind of effort and investment, and not baseless litigation, is the way to alleviate this problem."

The lawsuit alleges that the companies fueled the opioid epidemic by distributing enough of the drugs to fill more than 11.8 million prescriptions from 2011 to 2016, amounting to dosages that averaged more than 739 million each year.

The drug epidemic has resulted in annual damages in excess of $1 billion, the lawsuit alleges. Those costs include medical care; treatment for infants born with opioid-related medical conditions; public safety measures; substance abuse prevention; and welfare and social services for the children of addicted parents.

The lawsuit also alleges that more than 7,000 Ohioans have died due to the opioid crisis.

The companies "have supplied and continue to supply quantities of prescription opioids in and around Ohio without taking proper measures based on their actual or constructive knowledge that individuals were consuming opioids for non-medical purposes," the lawsuit reads.

Among the remedies Mr. DeWine is seeking are punitive and compensatory damages.

This marks the second lawsuit the AG has filed against drug companies over the opioid crisis. (See Gongwer Ohio Report, May 31, 2017)

Nearly $29M In State IT Funding Clears Controlling Board

Controlling Board members Monday approved more funding for state information technology projects after raising questions about performance-based contracts and the state's savings from consolidating services.

The requests from the Department of Administrative Services included one worth nearly $24.8 million for the state's main IT services delivery line item, which has increased over the years due to the consolidation, DAS Chief Financial Officer Jennifer Leymaster told the board.

The other request, for $4.4 million, dealt specifically with a pair of projects involving nine agencies, she said.

Rep. Scott Ryan (R-Newark) asked if the state's IT contracts have performance clauses for the timing of delivery or for the accountability of functions.

The request Monday didn't deal with specific contracts, just the appropriation changes needed to cover contract costs, Ms. Leymaster said.

"We'd be happy to see if individual contracts have the type of controls that you're asking about," she said.

Ms. Leymaster told Sen. Charleta B. Tavares (D-Columbus) that the projects are part of a broader optimization project that has saved the state more than $160 million since its inception.

The board also approved two significant funding requests from the Development Services Agency to support affordable housing after Sen. Bill Coley (R-Liberty Twp.) asked about cost containment measures and access for people with disabilities.

The requests included $13.6 million for the Ohio Housing Finance Agency to administer the Housing Development Assistance Program, and $5.5 million for housing assistance programs across the state.

Kelan Craig, director of planning, preservation and development at the Ohio Housing Finance Agency, said the administration has worked to ensure projects are done effectively at low cost.

As for accessibility for people with disabilities, there are specific requirements for projects targeted at seniors and for permanent supportive housing developments, but not for standard affordable housing, he said.

"Let's just watch that and make sure we don't have a problem with that," Sen. Coley said.

A request by the Department of Mental Health and Addiction Services for $1.1 million to replace the emergency generator at Appalachian Behavioral Healthcare in Athens was approved after Sen. Coley asked about the hospital's involvement in plans to participate in peak demand emergency programs.

Stephen Wilson, legislative liaison for ODMHAS, said the state found it would only save a couple thousand dollars to participate in the utility's peak demand program, while placing strict requirements on hospital staff.

Sen. Coley said the programs can help other facilities, such as industries and schools, when the power goes down.

"Hospitals around the state are finding great benefits to these programs," he said.

In total, the board approved 82 requests for funding.

Other items approved included: (Agenda)

- $2.9 million - Central State University - for repair and modernization of the Hallie Q. Brown Memorial Library.
- $11.7 million - Cleveland State University - to contract for an addition project at Fenn Hall.

- $1.9 million - Cuyahoga Community College - to buy 12.82 acres of real estate in Euclid for the expansion of the Transportation, Distribution and Logistics Academy.

- $1 million - Adjutant General's Department - for masonry renovation and HVAC work at the Hamilton Readiness Center in Butler County.

- $4.6 million - DAS - for administration of the Multi-Agency Radio Communication System.

- $2.3 million - Department of Agriculture - for lab supplies and equipment.

- $1.1 million - Department of Mental Health & Addiction Services - for emergency generator replacement at Appalachian Behavioral Healthcare in Athens.

- $1.6 million - Bureau of Motor Vehicles - for federal grants to purchase and install document scanners and update existing computer systems to confirm commercial driver's license applicants provided proof of citizenship or permanent residency.

- $10.5 million - Facilities Construction Commission - for master facilities plan amendments from Elida Local School District and Bloom-Carroll Local School District.

Adult Charge Stemming From Juvenile Conviction Challenged At High Court

Can a juvenile adjudication be used to satisfy an element of a crime committed as an adult?

Anthony Carnes will argue that it can't in a case the Ohio Supreme Court is set to hear Tuesday.

Mr. Carnes was charged with a third-degree felony offense of weapon-under-disability based on a 1994 juvenile adjudication. He moved to have the charge dismissed, but the trial court denied his motion.

The First District Court of Appeals upheld the trial court's decision. But Mr. Carnes argued that both court erred in their decisions.

"Simply put, juvenile adjudications are not criminal convictions and should not be viewed as such. This conclusion is reinforced by the fact that Ohio's juvenile system uses two different approaches, one mandatory and one discretionary, to transfer its most severe offenders into the adult system, and has a process to include an adult sentence with a juvenile rehabilitation for the next most serious level of offenders," his merit brief reads.

"In line with that approach, this court has prohibited juvenile adjudications from increasing punishment for subsequent adult conduct. Given that framework, it is incongruous for such adjudications to be permitted to turn what would otherwise be lawful conduct into a crime. Thus, a juvenile adjudication should not be deemed to meet an element of an offense charged against an adult."

The Juvenile Law Center and the Buckeye Firearms Association both weighed in on the case on behalf of Mr. Carnes.

"Individuals with Ohio juvenile adjudications do not fit into the long standing prohibition on the possession of firearms by felons because they simply are not felons by definition," the BFA wrote in its amicus brief.

The state, however, argues that a juvenile adjudication cannot be used to enhance a penalty, but it can be used as an element of a crime. The state also contends that if the court were to side with Mr. Carnes it would gut the state's law prohibiting the possession of a weapon under disability.

Under the law, "there are multiple means of being placed under a disability that do not include the right to a jury trial: being a fugitive from justice, being under indictment for a felony offense of violence, being under indictment for a felony drug offense, being drug dependent or in danger of drug dependence, being a chronic alcoholic, and being adjudicated mentally incompetent. Just as is the case with a juvenile adjudication, none of those situations carries a right to a jury trial - state," the state writes.

The Cuyahoga County Prosecutor's Office has also asked the court to affirm the First District ruling.

"Persons who commit violent felony offenses are considered bad risks who should not be allowed to legally possess a firearm. The fact that a person who commits the violent felony offense as a juvenile does not make that person any less of a bad risk," it wrote in an amicus brief.

"But Ohio's weapons disability law recognizes that people can turn their lives around and become law-abiding citizens after committing a single indiscretion or even after committing a series of crimes decades ago. That person can legally possess a firearm after following the appropriate statutory remedy; but until that time, the person should not be able to possess a firearm under Ohio law."

Three district court judges will be involved in the case because Justice Sharron Kennedy, Justice Patrick Fischer and Justice Patrick DeWine have recused themselves.

Justice DeWine concurred in judgement only with the First District's opinion upholding the trial court's decision to deny the motion to dismiss the charge.

The high court is set to hear two other cases Tuesday, it reported:

- In *Ohio Bureau of Workers' Compensation v. Cirino,* it will hear a case involving a Bureau of Workers' compensation beneficiary challenging the electronic payment program because he is charged fees by his bank. The state argues the case must be filed in the Court of Claims.

- A Columbus attorney is facing a six-month stayed suspension for failure to keep and maintain required financial records in the case of *Columbus Bar Association v. Keating.*

Ohio Groups Debate Trump's Short-Term Health Plan Proposal

A Trump administration proposal to expand options for short-term health insurance is designed to give consumers more options in the marketplace without the regulatory burden of current plans.

Opponents say it could lead to more limited coverage and raise premiums for people on standard exchange plans.

The proposal by the federal Centers for Medicare and Medicaid Services, announced last week, would allow short-term, limited-duration health insurance plans to provide coverage for up to 12 months, up from the current maximum of three months.

These plans are not required to meet the federal requirements for individual health insurance, such as providing essential health benefits or coverage for people with pre-existing conditions.

"In a market that is experiencing double-digit rate increases, allowing short-term, limited-duration insurance to cover longer periods gives Americans options and could be the difference between someone getting coverage or going without coverage at all," CMS Administrator Seema Verma said in a statement.

In Ohio, the move will provide more competition in the marketplace for health insurance, said Greg Lawson, research fellow at the Buckeye Institute.

"It's not going to be a perfect fit for everybody, but for those individuals that it works for, this could be something that could work for you, and it would be a cheaper alternative than being forced into the exchange," he said in an interview.

Critics say the change will erode coverage for people who sign up for the short-term plans and drive up premiums for those who need the more comprehensive coverage of Affordable Care Act-compliant plans.

"These short-term plans are likely to be harmful in the long run," said Steven Wagner, executive director of UHCAN Ohio. "Since they may lack meaningful coverage, people may find that their health care costs are not covered or face substantial out of pocket costs. These plans are a step in the wrong direction."

A report by the Urban Institute estimated the change would lead to an increase of 2.5 million people without minimum essential health care coverage by 2019, and an increase of 18.2% in 2019 premiums for ACA-compliant nongroup insurance plans.

The changes would allow people to shop around for the coverage they want, Mr. Lawson said. The Buckeye Institute and others have criticized the ACA exchanges for placing burdensome regulations on insurers and raising premiums.

"In general, what this will allow is you can have more barebones type policies that are more affordable," he said. "I don't think this is necessarily the pathway that we would prefer to see on a permanent basis but given the fact that the affordable care act is still the law of the land, this does give some breathing space."

Mr. Wagner said those requirements ensure people have comprehensive insurance coverage. He called the latest change part of an effort to eliminate coverage requirements created under the ACA.

"The Trump Administration is eating away at the foundations of health care coverage like termites in the foundation," he said. "This change along w the ability to alter the essential health benefits weakens people's access to quality affordable health care."

Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel

The Tax Credit Authority on Monday approved incentives for four projects that promise to create a total of 475 jobs and retain another 1,405 positions, the Development Services Agency reported.

The $2.81 million in tax credits, an estimate that depends on the companies meeting their hiring goals and other criteria, are projected to help trigger $41 million in investments and result in more than $24 million in new payroll, according to the state.

Topping the list in terms of impacted jobs and tax credit value is the $2.325 million incentive for **Airstream, Inc**. in the Village of Jackson Center in Shelby County.

The designer and manufacturer of travel trailers and touring coaches expects to create 280 full-time positions generating $14.8 million in new payroll while retaining $57.2 million in payroll with its expansion project. The TCA approved a 1.874%, nine-year Job Creation Tax Credit for the plans.

The other approved projects (estimated tax credit values) are:

Sedgwick Claims Management Services, Inc. of Hilliard (Franklin Co.). The provider of claims, productivity, managed care, risk consulting and other services expects to create 109 full-time positions generating $4.3 million in new payroll while retaining $13.4 million in payroll. The expansion plans attracted a tax credit of 1.31% over seven years ($400,000).

Veeva Systems Inc. of Dublin (Franklin Co.) plans 46 new jobs, $3.5 million in new payroll and the retention of $2.1 million in payroll with its expansion. TCA awarded a 1.62%, seven-year tax credit for the project ($355,000).

Modular Assembly Innovations LLC of Allen Township (Union Co.), which plans 40 new jobs, $1.4 million in new payroll and the retention of $7.6 million in payroll. The provider of manufacturing and modular assembly services to the automotive industry was awarded a 1.055%, six-year JCTC ($90,000).

Kasich Declares Emergency As Flood Risks Continue

Two days after Gov. John Kasich declared a state of emergency in 17 counties, areas of Ohio are continuing to grapple with flooding.

On Saturday, the governor issued his emergency declaration in the face of flooding - particularly along the Ohio River, which was expected to crest Monday.

Although rains have stopped, flood waters linger in some areas, closing roads and posing ongoing safety risks. The National Weather Service has said flood warnings are expected to persist for several more days in the central U.S. as "numerous river systems will remain in flood stage this week."

"As the weather and flooding is expected to get worse we're staying ahead of things by taking our readiness up to the next level and declaring an emergency where we expect the worst conditions," Gov. Kasich said over the weekend. "We'll quickly add to those areas as it's needed."

Counties affected by the proclamation include: Adams, Athens, Belmont, Brown, Clermont, Columbiana, Gallia, Hamilton, Hocking, Jackson, Jefferson, Lawrence, Monroe, Meigs, Muskingum, Scioto and Washington.

The state's Emergency Operations Center had been preparing for this round of flooding since at least Feb. 18. That's the day the Ohio EMA Watch Office began providing regular awareness reports multiple times a day to state, local and federal agencies.

In recent days meals have been provided to the elderly by the Department of Aging, emergency management liaisons have been dispatched to assist county-level operations centers, and swift water rescue teams have been positioned.

"Ohioans do a good job of looking out for each other and we're doing it again now also," Gov. Kasich said. "Teams at the local level are hard at work and state teams have been coordinating with them and supporting them over the past week."

Following the Kasich order, the EMA transitioned from assessment and monitoring to partial activation and the state's Joint Information Center was opened. That followed Ohio National Guard deployments to help install flood gates and a flood wall in Scioto County.

In recent days, state entities have assisted in providing sand bags and a water pump to communities in Lawrence County. A major rockslide on Monday closed a portion of a highway in that county, according to the Ohio Department of Transportation. State geologists were on the scene.

"I urge people to stay safe by staying informed, not taking any chances and checking in on your neighbors, especially seniors and families with young kids," the governor said. "Call your local city, county or Red Cross if there's anyone who needs help. We'll get through this as we always do, by working together."

At the same time, Attorney General Mike DeWine has issued several tips to steer residents away from flood-related scams that may arise.

"As people across Ohio assess the damage and start the clean-up process, we're reminding consumers to beware of scams," Mr. DeWine said. "Some con artists travel to affected communities to take advantage of people. They offer to help, but once they get your money, they're gone. After the flooding, we also could start to see flood-damaged vehicles entering the market. We just warn people to be careful."

Cyberattack Temporarily Shuts Down State Websites, Phones

The Department of Administrative Services is making modifications after a cyberattack blocked state websites and phone systems for multiple hours Sunday evening.

DAS spokesman Tom Hoyt said the attack was launched shortly after 5:30 p.m. Sunday and "was addressed quickly and remediated at approximately 9:50 p.m."

"It was not a breach - no personal information was compromised," Mr. Hoyt said.

Several accounts seemingly affiliated with the so-called "hacktivist" group Anonymous appear to be taking credit for the attack on social media. Anonymous-linked users posted screenshots showing error pages that appeared when trying to access state websites.

The attack was a denial-of-service attack, which is a concerted effort in which users bombard a targeted system with requests, thereby overloading and disabling it for legitimate users.

"The attack itself was educational in the sense that we now know how this type of attack is done and we can put in filters and prepare to help us be ready if it happens again," Mr. Hoyt said. This is the first time DAS has grappled with this specific method of a denial-of-service attack.

"These types of attacks can be done in different ways so we're aware of them and prepare for them," Mr. Hoyt said. "This was conducted in a different way, but once you go through that, you learn how it's done and we can prepare for the next time."

It's not the first time the state has been faced with a cyberattack.

Nearly a dozen state websites were impacted last year after hackers posted pro-ISIS messages on state homepages. That "internet graffiti-style" attack, however, was believe to be surface-level in nature with hackers not accessing the state's servers. (See Gongwer Ohio Report, June 26, 2017)

Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire

The Ohio Environmental Council is pointing to a Feb. 15 explosion and fire at a Belmont County oil well as new evidence pointing to the need for increased well setbacks.

But a leading oil and gas group is accusing the council of seeking to block industry development with its latest call for new legislation.

A horizontal well operated by XTO caught fire earlier this month, causing explosions and leading to the evacuation of residents within a one mile perimeter as the well continued to leak methane and other gasses.

XTO has said it has contracted with various companies to monitor the area and oversee cleanup operations. It has also paid to house 100 households who were displaced. Those residing beyond a half mile from the site have since been moved back into their homes.

The OEC said the incident is a "wake up call" demonstrating a need to strengthen Ohio's current law requiring horizontal wells to be located at least 100 feet from rural homes.

"What this incident demonstrates is that Ohio's current setback laws for horizontal oil and gas wells are clearly insufficient and do very little to protect communities from this new wave of oil and gas development," said Melanie Houston, director of climate programs at the Ohio Environmental Council. "Given the frequency of horizontal well pad incidents in Ohio over the past five years, it is past time for Ohio lawmakers to reconsider a safer setback distance."

The group said the incident also shows the need to examine laws requiring well operators to disclose hazardous chemicals to emergency responders. That debate was a point of contention during budget talks last year. (See Gongwer Ohio Report, April 14, 2017)

"State lawmakers also must close the chemical reporting loophole in Ohio law to make sure that first responders such as those responding to last week's incident can get the full accounting of chemical identities during oil and gas emergencies," Ms. Houston said.

The Ohio Oil and Gas Association, however, said 2012 legislation in that arena "created one of the most stringent regulatory programs for chemical disclosure in the nation."

That bill (SB315, 129th General Assembly) was a far-reaching energy mid-biennium review measure that strengthened requirements. But Democrats and environmental groups at the time said it didn't go far enough with its chemical disclosure provisions. (See Gongwer Ohio Report, May 24, 2012)

"The bill required chemical disclosure to all first responders, providing access to the information that they need and allowed (the Ohio Department of Natural Resources) to ask for additional chemical information when there is an incident," said Matt Hammond, OOGA's senior vice president.

As far as the idea of increased setbacks, the organization accused OEC and its allies of attempting to use a setback increase to snuff out oil and gas development.

"We have all heard the calls for increased setback distances since 2003 and found that environmental groups have supported setback distances for the sole purpose to offend the property rights of landowners and effectively block oil and gas development," Mr. Hammond said.

Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...

Sen. Joe Schiavoni (D-Boardman) and Sen. Sandra Williams (D-Cleveland) on Monday announced their intention to introduce a bill allowing for the removal of firearms from people deemed to be an imminent danger to themselves or others.

The proposal would establish an Extreme Risk Protection Order that would allow family or law enforcement to ask a court to temporarily remove firearms for up to one year.

"Family members are often the first to know when a loved one starts showing signs that they're dangerous to themselves or people around them," Sen. Schiavoni, a Democratic gubernatorial candidate, said in a statement. "Sadly, there aren't many options available to be proactive, remove weapons and prevent those moments from becoming tragedies. This bill is common sense. It provides a clear process when loved ones notice those red flags."

Five other states have similar laws. In announcing the intention to introduce the measure, the lawmakers cited Gov. John Kasich, who in a recent television interview expressed support for ERPOs.

"I am pleased to see the conversation turn and the mood shift toward sensible gun safety measures in Ohio," Sen. Williams said. "I'm also pleased to see Gov. Kasich supporting efforts to combat gun violence. We know how to reduce gun violence in America while still respecting the Second Amendment. This bill is a step forward in that direction."

School Safety: State Auditor Dave Yost on Monday rolled out a three-point school safety plan centered on securing buildings.

The attorney general hopeful's plan calls for a statewide inventory of security measures at all 5,200 school buildings across the state and a bond-backed program to modify them to create a single point of entry, install electronic zoned locking systems and add video cameras.

The final piece of the plan calls for the establishment of a training program for school staff volunteers with prior military or law enforcement experience.

"We need to protect our kids at school at least as well as we protect our politicians at work," Auditor Yost said in a statement. "This program takes the same proven tactics and technology we use in government offices-and many private businesses-and puts them to work in our schools, where our greatest treasures are."

Janus Case: A day ahead of the U.S. Supreme Court hearing oral arguments in a case that could have far-reaching implications for public sector unions, hundreds gathered on the Statehouse lawn for the "Working People's Day of Action."

The event also comes in the wake of six pieces of legislation introduced in Ohio to revise collective bargaining laws.

"The Ohio Legislative Black Caucus stands in solidarity with labor and working people," Ohio Legislative Black Caucus President and Rep. Stephanie Howse (D-Cleveland) said in a statement. "Right to Work is wrong and has no place in the state of Ohio. Fair labor practices, equitable pay, representation in the workplace and building power through unity are essential to making Ohio stronger, and should be a guaranteed right to all who are willing to work."

Buckeye Institute President Robert Alt said the questioning by Justice Anthony Kennedy during oral arguments should leave union supporters concerned.

"Given how frequently Justice Kennedy is in the majority, his questions have to be a cause of concern for those seeking to continue the practice of forcing public servants to pay for union speech with which they may disagree," he said.

Gun Control: The gubernatorial campaign of Dennis Kucinich continues to put gun control in the spotlight.

In the latest move, Mr. Kucinich's running mate, Akron City Councilwoman Tara Samples, plans to introduce a measure to urge state lawmakers to pass a ban on assault weapons.

"Dennis and I, with the help of more than 2,000 grassroots volunteers, are working to convince every city council and every board of education all across Ohio to support getting these killing machines off our streets," she said in a statement. "I couldn't be more proud that my own community is about to become the first in Ohio to take this step."

New Polling: A Suffolk University/*USA Today* poll released Monday found strong support for additional gun restrictions, including 63% of respondents who want semi-automatic weapons banned.

Another 76% said that people treated for mental illness should be banned from owning firearms and 61% said stronger gun control law and background checks could prevent more mass shootings.

The poll also found that 62% believe schools should be required to have metal detectors and 58% believe there should be a requirement that schools have a armed police officer stationed on campus.

However, just 19% believe the prospects of Congress passing gun-control measures are good to excellent and 25% believe there is a fair chance for legislative action. Another 51% said the chances are poor.

"Voters see a Congress that is deaf to their wishes about remedying gun violence in the United States," said David Paleologos, director of the Suffolk University Political Research Center in Boston

The nationwide survey of 1,000 individuals, which has a margin of error of 3%, also found that President Donald Trump's approval rating stands at 38%, down from 47% one year ago.

"President Trump's job performance ratings have had several ups and downs in the past year, with last March's relatively strong showing coming in the aftermath of a well-received speech to Congress," Mr. Paleologos said. "The bump he got after signing the tax bill in December appears to have been overwhelmed in light of young people challenging him on gun issues and the investigation of Russian meddling in U.S elections."

ODP Training: The Ohio Democratic Party announced Monday that more than 110 candidates took part in its "Main Street Initiative," which provides training and support to candidates.

"What Democrats are seeing nationally, we're seeing here in Ohio, too - the unprecedented energy and enthusiasm of the grassroots is turning into record numbers of Democratic candidates running in races up and down the ballot," ODP Chairman David Pepper said in a statement. "We're proud to support our state and local candidates when they run for office, as we build our bench of great public servants. We look forward to working with our 2018 'Main Street' candidates from now through Election Day and then touting their successes once they're in office."

Governor's Appointments

State Auctioneers Commission: Theresa M. Blocher of Paris for a term beginning February 26, 2018, and ending October 9, 2020.

Board of Nursing: Lauralee S. Krabill of Sandusky and Patricia A. Sharpnack of Chardon for terms beginning February 26, 2018, and ending December 31, 2021

Supplemental Event Planner

Monday, March 5

One Ohio Now news conference opn state data ahead of the State of the State Address, Ladies Gallery, Statehouse, Columbus, 1 p.m.

Wednesday, March 7

Rep. Martin J. Sweeney (D-Cleveland) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Marty, We Love You; $1,000-$5,000; Best Buddy; $500; Good Pal; $100 Friend: $25 to Friends of Martin J. Sweeney)

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From: Paretti, Dominic
Sent: Tuesday, February 27, 2018 5:05 PM
To: House_All
Subject: FW: Request for Co-Sponsorship – Paid Family and Medical Leave

**REMINDER-DEADLINE TO CO SPONSOR IS MARCH 9, 2018 at 4PM

Dominic Paretti
Legislative Aide to Representative Boyd
Ohio House District 09
614-644-5079

From: Paretti, Dominic
Sent: Monday, February 05, 2018 5:01 PM
To: House_All <House_All@ohiohouse.gov>
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave

Ohio House of Representatives

MEMORANDUM

TO:	All House Members
FROM:	Representative Janine Boyd and Representative Kristin Boggs
DATE:	February 5, 2018
RE:	Request for Co-Sponsorship – Paid Family and Medical Leave

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We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25th anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

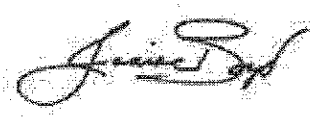
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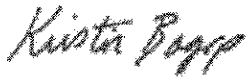
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Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



Janine Boyd
State Representative, Ohio House District 09



Kristin Boggs
State Representative, Ohio House District 18

From: Fedor, Teresa
Sent: Tuesday, February 27, 2018 9:34 PM
To: Paretti, Dominic
CC: House_All
Subject: Re: Request for Co-Sponsorship – Paid Family and Medical Leave

Yes

Sent from my iPhone

On Feb 27, 2018, at 5:05 PM, Paretti, Dominic <Dominic.Paretti@ohiohouse.gov> wrote:

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<image002.jpg>
Janine Boyd
State Representative, Ohio House District 09

<image003.png>
Kristin Boggs
State Representative, Ohio House District 18

From: Westlake, Libby
Sent: Friday, March 2, 2018 8:50 AM
To: Westlake, Libby
Subject: E-Clips for 3/2/2018

HOUSE E-CLIPS
3/2/2018

Associated Press

BILL WOULD REQUIRE DRIVERS TO MOVE OVER FOR GARBAGE TRUCKS
The Ohio House will consider legislation giving garbage trucks "move-over" protections in place for emergency vehicles.

NEXT PHASE OPENS IN OHIO'S $8M OPIOID TECHNOLOGY CHALLENGE
Ohio launched the second stage of its global technology challenge Wednesday aimed at finding solutions to the U.S. opioid crisis.

MORE THAN 131,000 ISSUED CONCEALED CARRY LICENSES IN OHIO
Ohio's attorney general says more than 131,000 residents were issued licenses last year to carry concealed weapons.

OHIO BILL WOULD ALLOW PROTECTIVE ORDERS FOR DATING VIOLENCE
A bipartisan bill allowing victims of dating violence to seek protective orders against alleged perpetrators is on its way to Ohio Republican Gov. John Kasich.

KASICH PROPOSES 'RED FLAG' LAW, OTHER GUN CHANGES IN STATE
Gov. John Kasich on Thursday advocated a "red flag" law for Ohio, a ban on armor-piercing ammunition and other gun policy positions he says represent political consensus in a bellwether state that could fly nationally.

2 DEMOCRATS FOR OHIO OFFICES WANT OPEN REDISTRICTING PROCESS
Two Democrats seeking statewide office in Ohio are pitching a plan they say would guarantee Ohio's redistricting process for congressional districts is more transparent to the public.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

FOR SCHIAVONI RUNNING MATE, DRUG CRISIS IS ALL IN THE FAMILY

Ohio's opioid epidemic is so extensive that it's struck the families of at least two of those seeking statewide office.

KASICH UNVEILS 'UNANIMOUS' PROPOSALS TO CURB GUN VIOLENCE

Saying he has to deal with the art of what's possible — what can pass the Republican-dominated General Assembly, Gov. John Kasich proposed six gun-law reforms on Thursday that he believes he can help Ohio avert some gun deaths.

CRITICS SLAM MEDICAID WORK PROPOSAL

Advocates, health-care providers and others slammed a state plan on Thursday that would require most non-disabled adults on Medicaid to work or lose their tax-funded health care.

LAWMAKERS OFFER COUNTIES $114.5 MILLION FOR VOTING MACHINES

Counties would get nearly $115 million in state money to replace aging voting machines in time for the 2019 election under a bill expected to pass the legislature this spring.

REP. BOGGS NEEDS HELP TO QUALIFY FOR PRIMARY BALLOT

State Rep. Kristin Boggs, D-Columbus, will need help from Republican Secretary of State Jon Husted in order to qualify to run as a write-in candidate for the May primary.

MAYOR GINTHER ENDORSES CORDRAY FOR GOVERNOR

Columbus Mayor Andrew Ginther on Thursday endorsed Richard Cordray, former Ohio attorney general and former director of the U.S. Consumer Financial Protection Bureau, in the Democratic primary for governor.

EDITORIAL: WORKPLACE DRUG USE DEMANDS ATTENTION

Drugs and workplaces don't mix. That's common sense, but now employers have more reasons to take a hard line against employee drug use.

Dayton Daily News
www.daytondailynews.com

MORE THAN 131,000 OHIOANS GET PERMITS TO CARRY CONCEALED GUNS

More than 131,000 Ohioans got their licenses last year to carry concealed weapons — 77,281 new ones and 54,064 renewals, according to Ohio Attorney General Mike DeWine.

THE PLAIN DEALER

$114.5 MILLION PROPOSED FOR NEW OHIO VOTING MACHINES

Ohio counties could soon get some money from the state to help replace aging voting equipment.

PLANNED PARENTHOOD TO FOCUS ON OHIO RACES FOR U.S. SENATE AND GOVERNOR

Planned Parenthood political organizations announced Thursday that they'll spend at least $20 million in this year's elections, with a particular focus on gubernatorial and Senate races in Ohio and seven other states.

OHIO GOV. JOHN KASICH PROPOSES 6 GUN POLICY CHANGES

Tightening background checks for gun buyers and allowing "red flag" protection orders were among six gun violence policy recommendations made Thursday by a bipartisan panel assembled by Gov. John Kasich.

JUSTICE DEPARTMENT HASN'T DECIDED WHETHER TO PARTICIPATE IN OPIOID LITIGATION

As U.S. Attorney General Jeff Sessions promised, the Justice Department on Thursday evening filed a "statement of interest" in the swath of lawsuits being heard in Cleveland that accuse drug manufacturers and distributors of heavily contributing to the nation's opioid epidemic.

THE ENQUIRER

JOHN KASICH'S 'COMMONSENSE' GUN CONTROL PLAN: WOULD NEW OHIO GUN LAWS MAKE A DIFFERENCE?

John Kasich wants to change Ohio's gun laws, touting support for "commonsense" measures from a handful of Republicans and Democrats.

THE BLADE

KASICH PROPOSES GUN REFORM MEASURES

Gov. John Kasich on Thursday unveiled a package of proposed gun law reforms to prohibit the sale of armor-piercing ammunition and third-party "strawman" sales of guns to people prohibited from having them.

PROPOSAL WOULD FUND NEW VOTING MACHINES

Ohio would borrow $114.5 million to help counties replace an aging fleet of voting machines in time by next year under a bill reworked Thursday.

EDITORIAL: RIGHT-TO-WORK INFRINGES ON EMPLOYERS

Is it too much to ask for some consistency from time to time?

EDITORIAL: DENNIS KUCINICH LEADING ON GUN ISSUE

Successful political campaigns sometimes catch a breeze they never counted on because of some unexpected occurrence that changes public attitudes between the time the candidates filed and the time the voters vote.

The Vindicator

SCHIAVONI GETS THE MAHONING DEMOCRATIC ENDORSEMENT FOR GOVERNOR

When it came to endorsing a candidate for governor, the Mahoning County Democratic Party overwhelmingly went for one of its own.

From: Finlay, Serena
Sent: Monday, March 5, 2018 11:11 AM
To: Paretti, Dominic
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave

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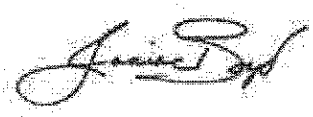
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From: Gongwer News Service
Sent: Monday, March 5, 2018 6:34 PM
To: Adams, Alexandra
Subject: Ohio Report, Monday, March 5, 2018
Attachments: 180305dayplan.htm; Mar5.htm

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OHIO REPORT
MONDAY, MARCH 5

Children Services Rule To Get Second Look After Concerns Raised At JCARR

Report Outlines Ohio's Rankings Ahead Of Kasich's Address

Lawmaker Looks To Crack Down On Theft In Office

Opioid Prescriptions Fall For Fifth Straight Year, Pharmacy Board Reports

DeWine Sues Monsanto, Crew SC Operator/Investor And MLS

Planned Updates To Give Farmers New Tool In Curbing Phosphorus Runoff

House District 83: Former Nurse, Business Leader Face Off In GOP Primary

Rover, OEPA Clash Over Landslides, Detected Chemical Traces

New Member Profile: Rep. McClain Follows In Father's Footsteps

Politics Notebook: Buckeye Institute Highlights Capital Budget 'Pork'; Taylor Picks Up Endorsement; Schiavoni Releases New Ad; Balderson Touts War Chest

Supplemental Agency Calendar

Supplemental Event Planner

CALENDARS

Day Planner

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Daily Activity Planner for Tuesday, March 6

Legislative Committees

Senate Public Utilities (Committee Record) **(Chr. Beagle, B., 466-6247), Finance Hearing Rm., 9:30 a.m.**

- **Confirmation hearing on governor's appointments of M. Beth Trombold, Public Utilities Commission of Ohio and Gregory Murphy, Power Siting Board**

HB 478 **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (1st Hearing-Sponsor)

House Finance (Committee Record) **(Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.**

HB 529 **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30,2020. (3rd Hearing-All testimony-Possible vote)

HB 508 **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (4th Hearing-All testimony-Possible vote)

HB 378 **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (7th Hearing-All testimony-Possible amendments, substitute & vote)

House Ways & Means (Committee Record) **(Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.**

SB 226 **TAX HOLIDAY** (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (2nd Hearing-Proponent)

House Agriculture & Rural Development (Committee Record) **(Chr. Hill, B., 644-6014), Rm. 121, 1 p.m.**

HB 501 **VETERINARY TITLES** (LaTourette, S., Huffman, S.) To change professional title of "registered veterinary technician" to "registered veterinary nurse." (1st Hearing-Sponsor)

HR 298 **ALFALFA PRODUCTS** (Sprague, R., Hill, B.) To recognize the existence of two alfalfa products in light of the recent action of the Ingredient Definition Committee of the Association of American Feed Control Officials. (1st Hearing-Sponsor)

Senate Finance (Committee Record) **(Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m.**

SB 266 **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make

reappropriations for the biennium ending June 30,2020. (3rd Hearing-Opponent)

SB 225 **BROADBAND GRANTS** (Schiavoni, J., Eklund, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (1st Hearing-Sponsor)

SB 246 **STUDENT REMOVAL** (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation. (1st Hearing-Sponsor)

HB 329 **PYRAMID SCHEMES** (Pelanda, D.) To modify the law governing pyramid promotional schemes. (3rd Hearing-Opponent)

House Session (Committee Record), **Senate Session** (Committee Record) **(Chr. Rosenberger, C., 466-3357, Chr. Obhof, L., 466-4900), Fritsche Theater, Otterbein University, 30 S. Grove St., Westerville, 7 p.m.**

- **Joint convention for the Governor's State of the State address**

Agency Calendar

Small Business Advisory Council, Women's Small Business Accelerator's ThinkSpace, 24 Westerview Dr., Westerville, 10 a.m.
Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 3:30 p.m.

Event Planner

OhioLINK, Ohio Department of Higher Education discussion on textbook affordability and open educational resources, Otterbein University, Towers Hall, Westerville, 10 a.m.
Sen. Rob McColley (R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for McColley)
Rep. Scott Ryan (R-Granville Township) fundraiser, Oliver's, 26 N. High St., Columbus, 11:30 a.m., (Sponsor: $1,000; Host: $500; Chair $350 to Citizens for Scott Ryan)

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Volume #87, Report #43 -- Monday, March 5, 2018

Children Services Rule To Get Second Look After Concerns Raised At JCARR

The Department of Job and Family Services will refile a proposed rule dealing with child abuse and neglect investigations after agencies said it would lead to more cases and higher costs.

The Public Children Services Association of Ohio told members of the Joint Committee on Agency Rule Review Monday that the proposed rules would prevent agencies from making "collateral contacts" before deciding to accept a case. That means they would not be able to check certain details, such as whether a parent was in drug treatment, before opening an investigation.

ODJFS argued the county agencies have long been advised in state guidance not to do so. Contacting other people about a potential child abuse or neglect case before contacting the parent can jeopardize the parent's privacy.

The proposed rule changes were designed in part to incorporate revisions to the federal Comprehensive Addiction and Recovery Act, which require more mandatory reporting in cases where children are born addicted to drugs.

The department included the provision preventing collateral contacts before cases to reinforce provisions that have been in guidance for more than a decade, Carla Carpenter, deputy director for the Office of Families and Children at ODJFS, told JCARR.

"The change to the rule merely echoes the guidance that we have been providing since 2005," she said.

Mary Wachtel, director of public policy for the PCSAO, said the rules would make it harder for agencies to screen potential cases by preventing them from following up for more information on referrals before opening an official investigation. It could lead to agencies opening investigations for children who aren't being neglected or abused, opening cases that would require home visits and other costs, she said.

"We are talking about a judicious, somewhat limited use of pre-screening collateral contacts," she said.

Other states allow for collateral contacts before cases are screened in, she said. Those states often have limits, such as that the only people to be contacted would be mandatory reporters of abuse or neglect, such as medical providers.

Ms. Wachtel suggested the department convene a stakeholder group to work out a solution.

"There is a fix here," she said. "We respectfully request that the rules be withdrawn to give time for a substantive discussion and consideration."

The department consulted with stakeholders before drafting the rule, Ms. Carpenter said.

Agencies are given 24 hours to gather information from internal sources, such as if the parent has had previous contact with the child welfare system, and to work back with the person referring the case, she said.

In many cases, particularly those involving drug abuse under the CARA provisions, the person making the referral is a medical professional, Ms. Carpenter said. In those cases, the provider can obtain a release of medical records from the parent to demonstrate that the parent has a drug treatment care plan, for example.

Lawmakers pressed the department on what would happen if the person making the referral was not a medical provider.

"How can you get a written release when you're not allowed to make a collateral contact?" Sen. Michael Skindell (D-Lakewood) asked.

The agencies would be able to look at the information they have and to ask follow-up to the person referring the case, Ms. Carpenter said. The rules follow the same procedure as guidance in place now.

"They essentially would be making that decision the same way they do today," she said.

JCARR Chair Sen. Joe Uecker (R-Loveland) asked how many counties are not complying with the guidelines.

Ms. Carpenter said the department wasn't aware of deviation from the guidance until recently.

Rep. Mike Duffey (R-Worthington) said the agency indicated the rule change would have no fiscal effect for the state or for counties, but it could increase the number of cases agencies take on.

The department said the change only codified what was expected to be standard practice, and increases weren't anticipated, Ms. Carpenter said.

"We have a duty as children services agencies to respond to reports that require our attention," she said. "We don't have control over what comes through our front door."

JCARR members caucused for about 45 minutes on the issue, after which ODJFS officials said they would refile the rule pending further discussions with stakeholders.

Report Outlines Ohio's Rankings Ahead Of Kasich's Address

While the state comes in above national averages for the number of residents with health insurance, students enrolled in Pre-K, and structurally sound bridges, it is lagging behind in a number of other areas, a new report shows.

One Ohio Now, a coalition of more than 100 health and human service organizations, labor unions and advocacy groups, released its third annual State of Ohio report on Monday. It shows Ohio's rankings in 16 areas encompassing health, education, the economy and equality.

State Director Gavin DeVore Leonard said it's important that Ohioans have a full picture of how the state is doing before the governor delivers his annual State of the State address on Tuesday.

"Unfortunately, what typically happens with the State of the State is sort of cherry picking the things that make you sound the best, the things you feel like you have the most likelihood of succeeding on in the future, and then often times sort of glazing over the things that are really at the foundation of what's happening, particularly in a place like Ohio, where there is just no getting around it, we are struggling. We're having a hard time keeping up," he said during a Statehouse press event.

Gov. John Kasich and those close to him haven't divulged what his speech will entail, but he told reporters last week that it will be "odd" and "different" than in past years. Being his last SOTS address, he's expected to recap his accomplishments while in office and focus on how he's helped to change state operations during his tenure. (See Gongwer Ohio Report, March 2, 2018)

Responding to the One Ohio Now report, his spokesman, Jon Keeling, touted the impacts the governor's leadership has had on the state over the last seven years.

"Jobs are up. Wages are growing. More Ohioans have health coverage. Support for K-12 education is at record levels. Poverty is the lowest in nearly a decade. We're taking better care of the vulnerable and those who live in the shadows. And Ohioans are wearing our colors with pride in ways this state hasn't seen in a long time," he said.

"The governor has set a new standard for leadership here in Ohio, and If those values are continued the stage is set for even more progress long after he's gone."

In addition to showing where the state ranks nationally, the report also compares last year's stats to this year's. As infant mortality, overdose deaths and poverty got worse in Ohio in 2017, the state has improved in the areas of college tuition, home foreclosures and hunger.

Despite improvements in some categories, it shouldn't be overlooked that Ohio still ranks at the bottom of states, Mr. DeVore Leonard said.

Higher investments in underperforming areas, such as K-12 and programs combatting hunger could save the state billions of dollars in the long term because Ohioans would be better off, he said.

Especially in K-12, where spending on an inflationary basis has been stagnant since 2002, it's "hard to be a recipe for success," he said.

"We believe that his can be solved and that's actually what the data shows when you look at what's happening around the country," Mr. DeVore Leonard said. "We're nervous that what's happening is that the legislature and the governor are essentially ignoring what the data tells us about how to move our state. They're ignoring what the data tells us about how we should actually get fit and get strong here in Ohio."

To find the funding to make needed investments, he suggested the state repeal a controversial small business tax cut and increase income tax rates for the state's wealthiest.

Although Gov. Kasich has been a champion of eliminating personal income taxes, Mr. DeVore Leonard said a recent softening of his policy stances gives advocates hope that he could be swayed by the data in the report.

"Over the past several weeks and the last few years we've seen that the governor has shown a willingness to reconsider when the facts are just too clear to overcome," he said, citing the governor's support of Medicaid expansion and gun policy proposals.

Mr. DeVore Leonard was joined at the rollout of the report by Trina Payne, executive director of the Ross County Community Action Commission, small business owner Dan Heck, and Vincent Johns Jr. with Faith in Public Life.

Ms. Payne said she's most concerned about the rise in drug overdose deaths in Appalachia - something One Ohio Now tracked for the first time this year.

"Data shows that we must invest in our future as a state to ensure that these numbers decrease and families and communities are given resources to be successful," she said.

Lawmaker Looks To Crack Down On Theft In Office

Public officials who get caught with their hands in the cookie jar would soon face steeper penalties under recently introduced legislation.

The proposal (SB 268) sponsored by Sen. Steve Wilson (R-Maineville) would establish first- and second-degree felony offenses for theft in office.



Sen. Wilson

Under current law, theft in office of any amount is limited to a third-degree felony that carries a maximum sentence of three years in prison.

The proposal would change the law to mirror existing penalties for theft. A theft in office of between $150,000 and $750,000 would result in a second-degree felony charge that carries a maximum sentence of up to eight years in prison.

Sen. Wilson said the legislation came about after conversations with State Auditor Dave Yost.

"We have a different set of standards for theft when it is someone in office, and in my estimation it shouldn't be," he said in an interview.

A theft of more than $750,000 would result in a first-degree felony charge, making the offender eligible for a maximum prison sentence of 11 years.

In addition, the measure would allow courts to include the cost of a forensic audit in a restitution order when the victim is a public entity.

Rep. Derek Merrin (R-Maumee) has introduced legislation (HB 391) to include the cost of accounting done to determine the extent of an economic loss for restitution purposes. It was recently amended to limit the amount of restitution to be granted for accounting or auditing costs to be reasonable and not exceed the value of the property stolen or damaged.

Sen. Wilson said he would be open to limiting the auditing costs that can be recouped, but wants to ensure that the public is made whole.

"I am open to that but my main concern is that the public not pay and the person who is audited and found guilty has to pay the costs," he said.

Sen. Wilson believes the measure will be well received in the legislature.

"I think it's so logical it will pass unanimously," he said.

Rep. Robert Cupp (R-Lima) is expected to introduce companion legislation in the lower chamber.

The proposal would also bar those convicted of theft in office from serving in a position of public trust.

"Theft in office is a severe crime that warrants an equally severe punishment," Auditor Yost said in a statement.

Opioid Prescriptions Fall For Fifth Straight Year, Pharmacy Board Reports

Doctors in Ohio prescribed fewer opioids in 2017, continuing an ongoing trend, according to data released Monday by the State Board of Pharmacy.

It was the fifth year in a row the number of opioid prescriptions reported to the state's Ohio Automated Rx Reporting System fell.

There were 568 million opioid doses dispensed to Ohio patients in 2017, the report found, down from 631 million in 2016 and 28.4% from an all-time high of 793 million in 2012.

There were 9.3 million total prescriptions dispensed, down from 10.1 million in 2016 and down from a high of 12.6 million in 2012.

"Ohio has one of the most comprehensive and aggressive approaches in the country to tackling the opioid epidemic," Pharmacy Board Executive Director Steven W. Schierholt said in a statement. "Through improvements to OARRS, new prescribing rules and guidelines, shuttering pill mills and aggressive regulatory action against unscrupulous prescribers, the state is making considerable progress in reducing the supply of prescription opioids and other controlled substances that can be abused or diverted."

The OARRS system saw more than 88 million patient reports requested, along with an 88% decrease in the number of people engaged on doctor shopping, the board reported.

"It is widely accepted that prescription opioid abuse often progresses to the use of heroin and other illicit drugs. That is why Ohio's efforts to reduce exposure to prescription opioids are essential to combatting this public health crisis," said Tracy Plouck, director of the Ohio Department of Mental Health and Addiction Services.

The report also found a decrease in the number of prescribers and patients receiving opioid prescriptions. The patient total dropped to just below 2 million, after topping 3 million in 2012. The number of prescribers also fell to just over 55,100, from a high of nearly 66,650 in 2012.

The number of benzodiazepines dispensed to patients also fell, dropping to 233 million solid doses from 254 million in 2016 and 297 million in 2012.

The report also tracked the number of opioid doses prescribed for acute pain, a recent point of emphasis for the state, which has limited the supply doctors can prescribe.

The number of doses for acute pain fell to just under 17 million in 2017, from a high of 31.2 million in 2012. The average prescription also fell from 8.37 days to 7.1 days.

County-level data is also available from the Board of Pharmacy.

The Ohio State Medical Association said doctors have been working to reduce the number of opioid painkillers given to patients.

"Ohio physicians for this entire decade have dedicated themselves to being part of the solution to the opioid epidemic which has gripped our state and we're seeing the positive effects of that commitment," OSMA spokesman Reggie Fields said in a statement. "Through better pain management treatment efforts and clearer state rules and guidelines, physicians are better equipped to make appropriate decisions when it is necessary to prescribe an opioid."

The OSMA pointed to its Smart Rx program, designed to educate prescribers about the safe use of opioids.

"Still, more work needs to be done to reduce the number of opioids dispensed and Ohio physicians remain committed to providing high-quality medical care that is safe and in the best interest of patients," he said.

DeWine Sues Monsanto, Crew SC Operator/Investor And MLS

Attorney General Mike DeWine on Monday announced the filing of two lawsuits - one against a multinational agrochemical company and another designed to halt the possible move of the Columbus Crew.

Filed in Hamilton County Common Pleas Court, Mr. DeWine accuses Monsanto of producing and selling polychlorinated biphenyls from 1929 to 1977 despite knowing the risk the chemical compound posed to humans.

"Ohioans deserve to enjoy their natural resources without contamination from these toxic chemicals, and we believe Monsanto should be held responsible for the damage it caused," the gubernatorial candidate said in a statement. "Our goal in taking this action is to protect Ohio, its citizens, and its natural resources."

The company did not respond to a request for comment on the lawsuit by publication time.

PCBs were used in paints, inks, caulks, sealants, lubricants, electrical equipment and carbonless copy paper, according to the lawsuit.

The chemical compound builds up in living things and contaminates the food chain. In humans, PCBs are associated with cancer, skin and eye disorders, reduced birth weight and liver damage.

The contamination has also been found in fish, soil, plants and the air, the lawsuit alleged.

Despite learning of the toxicity of the chemical in the 1930, the company continued to use the product, according to the lawsuit, which alleges Monsanto was negligent and created a public nuisance through its manufacture, distribution and sale of PCBs.

The lawsuit seeks compensation and damages to investigate and remove PCBs from the state's natural resources.

Crew Lawsuit: Mr. DeWine also filed a lawsuit against Precourt Sports Ventures and Major League Soccer to stave off the soccer club's move to Austin.

The lawsuit is based on the "the Art Modell law," which states that an Ohio professional sports team that uses a "tax-supported facility" and receives financial assistance from the state or a political subdivision cannot relocate without an agreement with the political subdivision. It also must give the political subdivision or any group of individuals who reside in the area an opportunity to buy the team.

Among the allegations in the lawsuit is that the franchise accepted $5 million in state funds for improvements to parking facilities, the land on which its home stadium sits is exempt from property taxes and the land is leased at below-market rate.

"Loyal Crew fans in Columbus have invested their time and loyalty in this team, and they have allowed the Crew SC to capitalize from financial incentives paid for by their tax dollars. I am left with no other choice than to file this suit to ensure our laws are followed," Mr. DeWine said.

The franchise did not return a call seeking comment by publication time.

AG DeWine was joined in the lawsuit by the city of Columbus.

"Just as importantly, the team plays in a taxpayer-supported facility, and Precourt Sports Ventures and Major League Soccer have accepted financial assistance from the state of Ohio and the City of Columbus. State law provides us with this protection," Mayor Andrew Ginther said.

The lawsuit, filed in Franklin County Common Pleas Court, was the brainchild of Rep. Mike Duffey (R-Worthington). (See Gongwer Ohio Report, December 6, 2017)

"I am very pleased that our state's top law enforcement officer is vigorously enforcing longstanding Ohio law," he said in a statement. "The Crew SC is our team. Our town. Neither the MLS or Precourt Sports Ventures can operate above Ohio law."

Planned Updates To Give Farmers New Tool In Curbing Phosphorus Runoff

Upcoming improvements to a key tool could provide farmers with more real-time, actionable data on phosphorus runoff coming from their farms.

Called the Ohio Phosphorus Risk Index, the resource is facilitated by the U.S. Department of Agriculture and is soon slated for a host of upgrades that farmers and environmental groups in Ohio say will provide one more asset toward curbing phosphorous runoff.

"The idea is you'll put in real actual data and so you will get really specific information then on how to make use of that data," Ohio Farm Bureau spokesman Joe Cornely said in an interview. "And that's crucial because every farm is different - the soil type, the management practices, the type of nutrients."

The tool is aimed at assisting farmers in gauging their risk for phosphorus runoff. That runoff can degrade surface water quality and contributed to harmful algal blooms.

"Providing farmers with tools to be more efficient and environmentally conscious will help their businesses and their watershed," said Peter Bucher, water resources director for the Ohio Environmental Council. "Further identifying what works best at reducing nutrient runoff will allow more farmers to implement the appropriate practices for their property."

The new index is years in the making and is thanks to a project led by Elizabeth Dayton, a researcher in Ohio State University's College of Food, Agricultural and Environmental Sciences. The project was funded through a $1 million USDA Conservation Innovation Grant and $1 million in matching donations from Ohio farmer groups.

"The index provides a long-term, average estimate of field-scale phosphorus loss based on farmer specific inputs," Ms. Dayton said. "It gives farmers the ability to compare crop management scenarios and evaluate changes in phosphorus runoff, allowing them to prioritize time and resources when making management decisions."

The tool also helps put Ohio's goal to reduce phosphorus levels in Lake Erie by 40% by 2025 within reach, Ms. Dayton said. (See Gongwer Ohio Report, February 13, 2017)

"The index quantifies how voluntary changes in agricultural practices contribute to achieving target phosphorus runoff reduction goals," she added. "If you multiply that by the millions of crop acres in Ohio, the 40% reduction target appears achievable."

Mr. Cornely said solving the issue of phosphorus levels will "take a whole toolbox."

"And this is one more tool to go in that box," he said. "So when you look at this as it's employed in conjunction with other tools - some that exist, some still being in development - this is one good piece of that arsenal we need to fix the problem."

After harmful algal bloom activity in 2017 tied the third worst season on record, the United States Environmental Protection Agency is moving to reconsider whether Lake

Erie's western basin should be classified as impaired. (See Gongwer Ohio Report, January 22, 2018)

The Ohio Environmental Protection Agency has touted record spending on water quality projects in 2017, although advocates said more resources are needed. (See Gongwer Ohio Report, December 27, 2017)

House District 83: Former Nurse, Business Leader Face Off In GOP Primary

Republican contenders for the 83rd House District seat each say they can bring a unique perspective to the General Assembly thanks to their respective expertise in the medical and business fields.

Cheryl Buckland, a member of the Ohio Republican Party's State Central and Executive Committee, and Jon Cross, CEO of the Hardin County Chamber and Business Alliance, are vying to succeed Rep. Robert Sprague (R-Findlay), who is running for state treasurer.

Ms. Buckland, 63, was appointed to the ORP's leadership committee in 2013 and has been elected twice since then. A self-described "non-traditional candidate," she's spent four decades working at skilled nursing facilities, teaching nursing students and operating her own extended care facility.

"We have not had a nurse in the General Assembly since 2010," Ms. Buckland said. "With all due respect, we have a lot of people making healthcare decisions without a healthcare background.... I feel I can be a voice for every healthcare discipline."

Mr. Cross, 38, has a background in commercial real estate. He's held the top job at the Hardin County chamber since 2014 and before that spent several stints dabbling in politics in Kansas, California and Texas. In addition to some northeast Ohio campaigns, he also spent a two-year span as an advance man for then-California Gov. Arnold Schwarzenegger.

It's his current role, however, that he says gives him an up close look at Ohio's competitiveness with other states and places him on the front lines of drawing and keeping businesses in the Buckeye State.

"Every day as an economic development director, I'm responsible for helping to attract new businesses to our community and our region and helping existing companies with their current demands," Mr. Cross said. "So I think I bring a unique perspective to understanding what it takes to attract a business to Ohio or keep a business open and successful in Ohio."

When it comes to the forthcoming race for House speaker shaping up between Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford), both candidates declined to publicly weigh in at this point.

"Right now that's my focus: the primary," Ms. Buckland said. "I know both the gentlemen and I'm happy to make a declaration of support when that's necessary."

And although he said he's met with both speaker candidates, Mr. Cross echoed that sentiment. "My philosophy has been I have to win my race first," he said.

But there are plenty of other areas in which the candidates remain at odds. Mr. Cross in particular has questioned whether his opponent shares true conservative principles.

"I'm a proud Republican who supports our president," Mr. Cross said. "I'm a strong pro-life advocate. I will do anything I can to help save and protect human life. I don't believe my opponent is."

Ms. Buckland denied any claim that she doesn't support life. Still, she said her medical background has given her the ability to emotionally detach from the issue.

"As a health professional I've been trained to put my personal feelings aside and look at what is in the best interest of the patient," Ms. Buckland said. "When we look at issues that create such an emotional response in people what I can do is come to the table and get pragmatic answers. I support life, I respect death but I'm also very pragmatic and an objective thinker."

Although she supports life in healthcare and abortion-related matters, she also questioned whether politicians have inserted themselves too far into the patient-doctor relationship.

She lists her priorities if elected as advocating for farmers, steering health policy and supporting efforts to curb the opioid epidemic - an issue she saw firsthand through the addiction of her grandson. She described herself as an "out-of-the-box thinker" who can bring a new perspective to the drug fight.

"I know what I know and what I know I know very well but I'm not an expert in everything," Ms. Buckland said. "I would like to be a voice when we look at our entitlement programs - not unlike the drug crisis - and say are we spending the right dollars in the right places?"

She and her husband sold their extended care facility in 2008, but she said the experience running a business will give her valuable insight to carry into the Statehouse. She said her world travel would also be an asset - including stays in Africa, El Salvador, Russia as well as time spent delivering Polio vaccines in Portugal.

Mr. Cross said his desire to tackle issues from the business perspective easily ties into other pressing challenges facing the state, including workforce development, educational attainment, opioid addiction and adequately funding local communities.

"My largest overarching campaign platform is to make Ohio and the 83rd District safer, stronger and open for business," he said. "How do we get better and how do we

compete and how do we make sure policies are not driving people, business, education out of the state?"

His experience across the country, he said, showed him a new perspective on where Ohio stands in business friendliness compared to other states. He wants to be a voice for businesses large and small and is a strong defender of the 2nd Amendment, he said.

"We want to make sure rural America, rural Ohio, where you have large corporations to family farms, that perspective is brought into the conversation and policy decisions," Mr. Cross said.

Ms. Buckland and her husband, Larry, have seven stepchildren, 15 grandchildren and 15 great-grandchildren. Among her talents, she lists flamenco and tap dancing.

Mr. Cross, when he's not eating pizza and burgers on the campaign trail, enjoys spending time with his wife, Christina, and playing sports with his two sons, ages 3 and 7.

The winner of the Republican nomination will likely face Democrat Ashley Philipp of McComb who is running unopposed in the primary.

Subscribers Note: *This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's* Election Page *for more information on 2018 contests, including our* Key Races.

Rover, OEPA Clash Over Landslides, Detected Chemical Traces

The Ohio Environmental Protection Agency and Rover Pipeline builders continue to lock horns - this time engaging in a contentious back-and-forth over several land slips posing "serious threat to environmental resources."

The OEPA is also requesting new tests after the presence of a manufactured chemical, tetrachloroethene, was found in some drilling returns in Stark County.

The two issues are the latest battle grounds in the ongoing dispute between the two entities - which is simultaneously playing out in an ongoing court case in Stark County. (See Gongwer Ohio Report, February 5, 2018)

The landslip issue came to the forefront last month when Rover Pipeline LLC requested the Federal Energy Regulatory Commission approve temporary workspace for it to repair 28 landslips in Ohio and West Virginia.

But the OEPA, in a subsequent missive to FERC said the company's online filing was the first notice the agency received of the situation and blasted the company for failing to adequately notify the state.

"Ohio EPA is concerned that Rover and FERC did not immediately bring to our attention what Rover now describes as 'a serious threat to sensitive environmental resources,'" OEPA wrote. "Instead of trying to work around Ohio, we again call on Rover to be forthright and provide us with information so we can ensure the environment and citizens are protected."

Rover, meanwhile, argues the state is attempting to besmirch the company in order to gain more leverage in Ohio's ongoing lawsuit. And it accuses state regulators of not fully reading the company's filings in its "haste to cast aspersions."

"Ohio EPA's letter is the latest in a string of baseless claims regarding Rover that attempt to denigrate Rover to advance its own litigation position," Rover's response reads. "Notwithstanding that Ohio EPA does not have jurisdiction in this matter, Rover, on a voluntary basis, has cooperated with Ohio EPA regarding all of its inquiries irrespective of jurisdiction, including on potential impacts from Rover's construction activities."

The OEPA has accused the company of claiming the state has no role in protecting its own environment - an idea the agency called "absurd."

The agency wrote that it "absolutely" expects "to be informed of these troubling threats" and involved in "permitting of any potential impacts to streams and wetlands."

"Moreover, where impacts have occurred, Rover needs to clearly gain our approval of actions to minimize impacts and repair the damage they have done," OEPA added.

The ongoing tiff over those land slips is just one of the conflicts the parties are engaged in. Another dispute arising in recent week centers on the presence of tetrachloroethene or PCE in some drilling fluid returns along the Tuscarawas River.

PCE is a liquid chemical that in high levels is thought to headaches, dizziness, unconsciousness and other effects and it is considered by the government as a potential carcinogen, according to the Ohio Department of Health.

The chemical levels detected in Rover returns registered below the U.S. Environmental Protection Agency's regional screening risk level for direct contact, according to the OEPA, but levels clocked in above the screening threshold of soil leaching to groundwater.

As a result, OEPA asked federal regulators to force Rover to conduct additional sampling along with a separate sampling of drilling fluid source water in an effort to pinpoint the PCE's point of origin.

"These additional samples should be taken immediately and the results submitted to our attention for further evaluation," OEPA wrote.

Rover, in turn, argues that PCE is a "prominent contaminant in the environment" and that Ohio has reported multiple instances of detections in the environment in circumstances not affiliated with the project. The company characterized the levels were "minor and non-hazardous."

"Ohio EPA has documented impacts of PCE contamination in the waters of the state and engaged in several initiatives to achieve attainment," Rover said. "Accordingly, Ohio EPA's new-found concerns are as spurious as they are disingenuous."

New Member Profile: Rep. McClain Follows In Father's Footsteps

Rep. McClain has worked in business and currently serves as director of finance and customer service for Doc Investments LLC, an online precious metals retailer. The metals retailer was designed to emphasize a low-cost retail model.

"I'm pretty experienced with the changing of what the business market looks like with online retail and some of the opportunities that go along with that," he said.

As state representative, he hopes to focus on policies that will help build small businesses.

Rep. McClain said another important focus for him is on policies that help families. Rep. McClain and his wife have been married for more than 10 years and have three children, ages 2, 4 and 8.

"I'm about Ohio families," he said. "I value the family structure greatly and what that does in setting kids up, and Ohio up, our communities up for greatness."

Promoting families can help communities deal with issues and help each other, he said.

"I want to be an advocate for families taking care of each other, being good stewards of our children and being able to foster environments where people have the resources they need to find the help that they need in their own communities and foster a culture of people helping people," he said.

Rep. McClain said he spends a lot of his time outside of work with his children and family as well as remodeling his house.

He holds a bachelor's degree from Bluffton University and a Master of Business Administration from the University of Findlay.

At Bluffton, Rep. McClain was on the baseball team, playing several positions including shortstop, outfield and pitcher. One summer he traveled Europe with Athletes in Action, a ministry of Campus Crusade for Christ. The team played clubs in France, Germany and the Czech Republic, while also doing ministry activities with children and at camps.

"It was almost a barnstorming tour to spread baseball in Europe," he said.

Although he's familiar with the work of the House after seeing his father's experience, Rep. McClain said he hopes to prove himself and find ways to contribute, he said.

"The hat's on my head now and I'm moving forward to do everything I can to be responsive," he said.

Politics Notebook: Buckeye Institute Highlights Capital Budget 'Pork'; Taylor Picks Up Endorsement; Schiavoni Releases New Ad; Balderson Touts War Chest

The Buckeye Institute on Monday unveiled its Top 10 Worst Capital Budget Requests of 2018.

All told, the projects highlighted by the Buckeye Institute total more than $18 million, according to the report.

Among the projects singled out is $4 million for a Major League Soccer stadium in Cincinnati, $2.5 million to expand the Cleveland Museum of Natural History and $5 million for the COSI Connection Corridor.

"If these, and other pork projects in the budget, were funded using local or private dollars, as they should be, Ohio could have at least $85 million more that it could spend on pressing state priorities, save, or better yet, return to taxpayers," Greg R. Lawson, research fellow at Institute, said in a statement.

Mr. Lawson also lamented the lack of funding for strengthening the state's physical and democratic infrastructure.

"Policymakers should do more to heed our call to focus the capital budget on strengthening Ohio's physical and democratic infrastructure and move away from projects of predominately local interest," he said. "Simply put, it is hard to see how it benefits someone in Youngstown for Cincinnati to get a soccer stadium or how people in Cleveland benefit from renovations to COSI."

Taylor Endorsement: Lt. Gov. Mary Taylor on Monday picked up an endorsement in her gubernatorial bid in the form of U.S. Sen. Steve Daines (R-Mont.).

In announcing his endorsement, Mr. Daines said he has known Ms. Taylor's running mate, Nathan Estruth, for many years.

"Lt. Governor Mary Taylor is a conservative who has and will continue to challenge the status quo establishment in Ohio. It is important to elect leaders in states across the country - and especially in the swing state of Ohio - who will fight for a bold conservative agenda alongside the people's representatives in Washington," he said in a statement.

"We need more private sector experience and principled conservatives to tame the over-reach of government at the federal and state levels, and the Mary Taylor/Nathan Estruth ticket are the only ones in either party who bring that for the people of Ohio."

Added Ms. Taylor in a statement: "Senator Daines' support today and over the next 68 days adds to our growing momentum as conservatives across Ohio and the country rally around my campaign as the true conservative in this race."

New Ad: Sen. Joe Schiavoni (D-Boardman) is out with a new ad in which he highlights his desire to create opportunities for future generations.

The 30-second spot, "For Them," features Sen. Schiavoni's family, including his two children.

"As a parent, everything you do is for them. The simple lessons, the big decisions, you want them to succeed," he says in the ad. "But you worry - what opportunities will be there for them?"

Balderson Warchest: The congressional campaign of Sen. Troy Balderson on Monday announced that it has raised $300,000 in the eight weeks since the Zanesville Republican officially entered the race.

"This campaign has had non-stop momentum since day one, and I could not be more grateful to the many contributors of this effort," he said in a statement. "So many people from my Senate District and throughout Central Ohio have asked to be a part of our campaign because they know that my conservative record makes me the best candidate to help fix a broken Washington."

Supplemental Agency Calendar

Thursday, March 15

Criminal Sentencing Commission, 31st Fl., 77 S. High St., Columbus, 10 a.m.

Supplemental Event Planner

Tuesday, March 6

Sen. Rob McColley **(R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for McColley)**

Wednesday, March 7

Ohioans to Stop Execution news conference on clemency hearing, Ladies Gallery, Statehouse, Columbus, 10 a.m.

Monday, March 12

Sen. Steve Wilson **(R-Maineville) fundraiser, Queen City Club, 331 E. Fourth Street, Cincinnati, 5 p.m., (Host: $5,000 | Sponsor: $2,500 | Supporter: $1,000 | Attendee: $500 to Steve Wilson for Ohio)**

Tuesday, March 13

Rep. Anne Gonzales **(R-Westerville) fundraiser, The Keep, 50 W. Broad Street, Columbus, 4:30 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for Anne Gonzales)**

Sen. Stephanie Kunze **(R-Hilliard) &** Rep. Mike Duffey **(R-Worthington) fundraiser, Pins Mechanical Co., 6558 Riverside Drive, Dublin, 5:30 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $250 to Citizens for Stephanie Kunze and/or Citizens for Duffey)**

Wednesday, March 14

Sen. Bill Coley **(R-Liberty Twp.) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Friends of Bill Coley)**

Tuesday, March 20

Sen. Bob Hackett **(R-London) & Sen. Lou Terhar (R-Cincinnati) fundraiser, Athletic Club of Columbus - Gold, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Hackett for Ohio and/or Friends of Lou Terhar)**

Wednesday, March 21

Sen. President Larry Obhof **(R-Medina) fundraiser, Athletic Club of Columbus - Crystal, 136 E. Broad Street, Columbus, 7:30 a.m., (Sponsor: $2,500 | Host: $1,000 | Guest: $500 to Citizens for Obhof)**

Tuesday, April 10

Sen. Gayle Manning **(R-N. Ridgeville) &** Sen. Stephanie Kunze **(R-Hilliard) fundraiser, Buckeye Bourbon House, 36 E. Gay Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Committee to Elect Gayle Manning and/or Citizens for Stephanie Kunze)**

Wednesday, April 11

Sen. Bob Peterson **(R-Sabina) &** Sen. Steve Wilson **(R-Maineville) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Peterson for Good Government and/or Steve Wilson for Ohio)**

Tuesday, April 17

Sen. Scott Oelslager **(R-N. Canton) &** Sen. Frank Hoagland **(R-Adena) fundraiser, Athletic Club of Columbus - 136 E. Broad Street, Columbus, 5 p.m., (Checks to Oelslager for Ohio Committee and/or Hoagland for Ohio)**

Wednesday, April 18

Ohio University State Government Alumni Luncheon, Athletic Club, 136 E. Broad St., Columbus, 11:30 a.m., (Social: 11:30 am; Luncheon: 12 pm)

Sen. Jay Hottinger **(R-Newark) & Sen. Matt Dolan (R-Chagrin Falls) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for Hottinger and/or Friends of Matt Dolan)**

Tuesday, April 24

Rep. Andy Brenner **(R-Powell) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Brenner for Ohio)**
Sen. Matt Huffman **(R-Lima) &** Sen. John Eklund **(R-Chardon) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Matt Huffman for Ohio and/or Friends of John Eklund)**

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OHIO REPORT
MONDAY, MARCH 5

Children Services Rule To Get Second Look After Concerns Raised At JCARR

Report Outlines Ohio's Rankings Ahead Of Kasich's Address

Lawmaker Looks To Crack Down On Theft In Office

Opioid Prescriptions Fall For Fifth Straight Year, Pharmacy Board Reports

DeWine Sues Monsanto, Crew SC Operator/Investor And MLS

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Supplemental Agency Calendar

Supplemental Event Planner

CALENDARS

Day Planner

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Daily Activity Planner for Tuesday, March 6

Legislative Committees

Senate Public Utilities (Committee Record) **(Chr. Beagle, B., 466-6247), Finance Hearing Rm., 9:30 a.m.**

- **Confirmation hearing on governor's appointments of M. Beth Trombold, Public Utilities Commission of Ohio and Gregory Murphy, Power Siting Board**

HB 478 **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (1st Hearing-Sponsor)

House Finance (Committee Record) **(Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.**

HB 529 **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30,2020. (3rd Hearing-All testimony-Possible vote)

HB 508 **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (4th Hearing-All testimony-Possible vote)

HB 378 **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (7th Hearing-All testimony-Possible amendments, substitute & vote)

House Ways & Means (Committee Record) **(Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.**

SB 226 **TAX HOLIDAY** (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (2nd Hearing-Proponent)

House Agriculture & Rural Development (Committee Record) **(Chr. Hill, B., 644-6014), Rm. 121, 1 p.m.**

HB 501 **VETERINARY TITLES** (LaTourette, S., Huffman, S.) To change professional title of "registered veterinary technician" to "registered veterinary nurse." (1st Hearing-Sponsor)

HR 298 **ALFALFA PRODUCTS** (Sprague, R., Hill, B.) To recognize the existence of two alfalfa products in light of the recent action of the Ingredient Definition Committee of the Association of American Feed Control Officials. (1st Hearing-Sponsor)

Senate Finance (Committee Record) **(Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m.**

SB 266 **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make

reappropriations for the biennium ending June 30,2020. (3rd Hearing-Opponent)

SB 225 **BROADBAND GRANTS** (Schiavoni, J., Eklund, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (1st Hearing-Sponsor)

SB 246 **STUDENT REMOVAL** (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation. (1st Hearing-Sponsor)

HB 329 **PYRAMID SCHEMES** (Pelanda, D.) To modify the law governing pyramid promotional schemes. (3rd Hearing-Opponent)

House Session (Committee Record), **Senate Session** (Committee Record) **(Chr. Rosenberger, C., 466-3357, Chr. Obhof, L., 466-4900), Fritsche Theater, Otterbein University, 30 S. Grove St., Westerville, 7 p.m.**

- **Joint convention for the Governor's State of the State address**

Agency Calendar

Small Business Advisory Council, Women's Small Business Accelerator's ThinkSpace, 24 Westerview Dr., Westerville, 10 a.m.
Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 3:30 p.m.

Event Planner

OhioLINK, Ohio Department of Higher Education discussion on textbook affordability and open educational resources, Otterbein University, Towers Hall, Westerville, 10 a.m.
Sen. Rob McColley (R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for McColley)
Rep. Scott Ryan (R-Granville Township) fundraiser, Oliver's, 26 N. High St., Columbus, 11:30 a.m., (Sponsor: $1,000; Host: $500; Chair $350 to Citizens for Scott Ryan)

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Volume #87, Report #43 -- Monday, March 5, 2018

Children Services Rule To Get Second Look After Concerns Raised At JCARR

The Department of Job and Family Services will refile a proposed rule dealing with child abuse and neglect investigations after agencies said it would lead to more cases and higher costs.

The Public Children Services Association of Ohio told members of the Joint Committee on Agency Rule Review Monday that the proposed rules would prevent agencies from making "collateral contacts" before deciding to accept a case. That means they would not be able to check certain details, such as whether a parent was in drug treatment, before opening an investigation.

ODJFS argued the county agencies have long been advised in state guidance not to do so. Contacting other people about a potential child abuse or neglect case before contacting the parent can jeopardize the parent's privacy.

The proposed rule changes were designed in part to incorporate revisions to the federal Comprehensive Addiction and Recovery Act, which require more mandatory reporting in cases where children are born addicted to drugs.

The department included the provision preventing collateral contacts before cases to reinforce provisions that have been in guidance for more than a decade, Carla Carpenter, deputy director for the Office of Families and Children at ODJFS, told JCARR.

"The change to the rule merely echoes the guidance that we have been providing since 2005," she said.

Mary Wachtel, director of public policy for the PCSAO, said the rules would make it harder for agencies to screen potential cases by preventing them from following up for more information on referrals before opening an official investigation. It could lead to agencies opening investigations for children who aren't being neglected or abused, opening cases that would require home visits and other costs, she said.

"We are talking about a judicious, somewhat limited use of pre-screening collateral contacts," she said.

Other states allow for collateral contacts before cases are screened in, she said. Those states often have limits, such as that the only people to be contacted would be mandatory reporters of abuse or neglect, such as medical providers.

Ms. Wachtel suggested the department convene a stakeholder group to work out a solution.

"There is a fix here," she said. "We respectfully request that the rules be withdrawn to give time for a substantive discussion and consideration."

The department consulted with stakeholders before drafting the rule, Ms. Carpenter said.

Agencies are given 24 hours to gather information from internal sources, such as if the parent has had previous contact with the child welfare system, and to work back with the person referring the case, she said.

In many cases, particularly those involving drug abuse under the CARA provisions, the person making the referral is a medical professional, Ms. Carpenter said. In those cases, the provider can obtain a release of medical records from the parent to demonstrate that the parent has a drug treatment care plan, for example.

Lawmakers pressed the department on what would happen if the person making the referral was not a medical provider.

"How can you get a written release when you're not allowed to make a collateral contact?" Sen. Michael Skindell (D-Lakewood) asked.

The agencies would be able to look at the information they have and to ask follow-up to the person referring the case, Ms. Carpenter said. The rules follow the same procedure as guidance in place now.

"They essentially would be making that decision the same way they do today," she said.

JCARR Chair Sen. Joe Uecker (R-Loveland) asked how many counties are not complying with the guidelines.

Ms. Carpenter said the department wasn't aware of deviation from the guidance until recently.

Rep. Mike Duffey (R-Worthington) said the agency indicated the rule change would have no fiscal effect for the state or for counties, but it could increase the number of cases agencies take on.

The department said the change only codified what was expected to be standard practice, and increases weren't anticipated, Ms. Carpenter said.

"We have a duty as children services agencies to respond to reports that require our attention," she said. "We don't have control over what comes through our front door."

JCARR members caucused for about 45 minutes on the issue, after which ODJFS officials said they would refile the rule pending further discussions with stakeholders.

Report Outlines Ohio's Rankings Ahead Of Kasich's Address

While the state comes in above national averages for the number of residents with health insurance, students enrolled in Pre-K, and structurally sound bridges, it is lagging behind in a number of other areas, a new report shows.

One Ohio Now, a coalition of more than 100 health and human service organizations, labor unions and advocacy groups, released its third annual State of Ohio report on Monday. It shows Ohio's rankings in 16 areas encompassing health, education, the economy and equality.

State Director Gavin DeVore Leonard said it's important that Ohioans have a full picture of how the state is doing before the governor delivers his annual State of the State address on Tuesday.

"Unfortunately, what typically happens with the State of the State is sort of cherry picking the things that make you sound the best, the things you feel like you have the most likelihood of succeeding on in the future, and then often times sort of glazing over the things that are really at the foundation of what's happening, particularly in a place like Ohio, where there is just no getting around it, we are struggling. We're having a hard time keeping up," he said during a Statehouse press event.

Gov. John Kasich and those close to him haven't divulged what his speech will entail, but he told reporters last week that it will be "odd" and "different" than in past years. Being his last SOTS address, he's expected to recap his accomplishments while in office and focus on how he's helped to change state operations during his tenure. (See Gongwer Ohio Report, March 2, 2018)

Responding to the One Ohio Now report, his spokesman, Jon Keeling, touted the impacts the governor's leadership has had on the state over the last seven years.

"Jobs are up. Wages are growing. More Ohioans have health coverage. Support for K-12 education is at record levels. Poverty is the lowest in nearly a decade. We're taking better care of the vulnerable and those who live in the shadows. And Ohioans are wearing our colors with pride in ways this state hasn't seen in a long time," he said.

"The governor has set a new standard for leadership here in Ohio, and If those values are continued the stage is set for even more progress long after he's gone."

In addition to showing where the state ranks nationally, the report also compares last year's stats to this year's. As infant mortality, overdose deaths and poverty got worse in Ohio in 2017, the state has improved in the areas of college tuition, home foreclosures and hunger.

Despite improvements in some categories, it shouldn't be overlooked that Ohio still ranks at the bottom of states, Mr. DeVore Leonard said.

Higher investments in underperforming areas, such as K-12 and programs combatting hunger could save the state billions of dollars in the long term because Ohioans would be better off, he said.

Especially in K-12, where spending on an inflationary basis has been stagnant since 2002, it's "hard to be a recipe for success," he said.

"We believe that his can be solved and that's actually what the data shows when you look at what's happening around the country," Mr. DeVore Leonard said. "We're nervous that what's happening is that the legislature and the governor are essentially ignoring what the data tells us about how to move our state. They're ignoring what the data tells us about how we should actually get fit and get strong here in Ohio."

To find the funding to make needed investments, he suggested the state repeal a controversial small business tax cut and increase income tax rates for the state's wealthiest.

Although Gov. Kasich has been a champion of eliminating personal income taxes, Mr. DeVore Leonard said a recent softening of his policy stances gives advocates hope that he could be swayed by the data in the report.

"Over the past several weeks and the last few years we've seen that the governor has shown a willingness to reconsider when the facts are just too clear to overcome," he said, citing the governor's support of Medicaid expansion and gun policy proposals.

Mr. DeVore Leonard was joined at the rollout of the report by Trina Payne, executive director of the Ross County Community Action Commission, small business owner Dan Heck, and Vincent Johns Jr. with Faith in Public Life.

Ms. Payne said she's most concerned about the rise in drug overdose deaths in Appalachia - something One Ohio Now tracked for the first time this year.

"Data shows that we must invest in our future as a state to ensure that these numbers decrease and families and communities are given resources to be successful," she said.

Lawmaker Looks To Crack Down On Theft In Office

Public officials who get caught with their hands in the cookie jar would soon face steeper penalties under recently introduced legislation.

The proposal (SB 268) sponsored by Sen. Steve Wilson (R-Maineville) would establish first- and second-degree felony offenses for theft in office.



Sen. Wilson

Under current law, theft in office of any amount is limited to a third-degree felony that carries a maximum sentence of three years in prison.

The proposal would change the law to mirror existing penalties for theft. A theft in office of between $150,000 and $750,000 would result in a second-degree felony charge that carries a maximum sentence of up to eight years in prison.

Sen. Wilson said the legislation came about after conversations with State Auditor Dave Yost.

"We have a different set of standards for theft when it is someone in office, and in my estimation it shouldn't be," he said in an interview.

A theft of more than $750,000 would result in a first-degree felony charge, making the offender eligible for a maximum prison sentence of 11 years.

In addition, the measure would allow courts to include the cost of a forensic audit in a restitution order when the victim is a public entity.

Rep. Derek Merrin (R-Maumee) has introduced legislation (HB 391) to include the cost of accounting done to determine the extent of an economic loss for restitution purposes. It was recently amended to limit the amount of restitution to be granted for accounting or auditing costs to be reasonable and not exceed the value of the property stolen or damaged.

Sen. Wilson said he would be open to limiting the auditing costs that can be recouped, but wants to ensure that the public is made whole.

"I am open to that but my main concern is that the public not pay and the person who is audited and found guilty has to pay the costs," he said.

Sen. Wilson believes the measure will be well received in the legislature.

"I think it's so logical it will pass unanimously," he said.

Rep. Robert Cupp (R-Lima) is expected to introduce companion legislation in the lower chamber.

The proposal would also bar those convicted of theft in office from serving in a position of public trust.

"Theft in office is a severe crime that warrants an equally severe punishment," Auditor Yost said in a statement.

Opioid Prescriptions Fall For Fifth Straight Year, Pharmacy Board Reports

Doctors in Ohio prescribed fewer opioids in 2017, continuing an ongoing trend, according to data released Monday by the State Board of Pharmacy.

It was the fifth year in a row the number of opioid prescriptions reported to the state's Ohio Automated Rx Reporting System fell.

There were 568 million opioid doses dispensed to Ohio patients in 2017, the report found, down from 631 million in 2016 and 28.4% from an all-time high of 793 million in 2012.

There were 9.3 million total prescriptions dispensed, down from 10.1 million in 2016 and down from a high of 12.6 million in 2012.

"Ohio has one of the most comprehensive and aggressive approaches in the country to tackling the opioid epidemic," Pharmacy Board Executive Director Steven W. Schierholt said in a statement. "Through improvements to OARRS, new prescribing rules and guidelines, shuttering pill mills and aggressive regulatory action against unscrupulous prescribers, the state is making considerable progress in reducing the supply of prescription opioids and other controlled substances that can be abused or diverted."

The OARRS system saw more than 88 million patient reports requested, along with an 88% decrease in the number of people engaged on doctor shopping, the board reported.

"It is widely accepted that prescription opioid abuse often progresses to the use of heroin and other illicit drugs. That is why Ohio's efforts to reduce exposure to prescription opioids are essential to combatting this public health crisis," said Tracy Plouck, director of the Ohio Department of Mental Health and Addiction Services.

The report also found a decrease in the number of prescribers and patients receiving opioid prescriptions. The patient total dropped to just below 2 million, after topping 3 million in 2012. The number of prescribers also fell to just over 55,100, from a high of nearly 66,650 in 2012.

The number of benzodiazepines dispensed to patients also fell, dropping to 233 million solid doses from 254 million in 2016 and 297 million in 2012.

The report also tracked the number of opioid doses prescribed for acute pain, a recent point of emphasis for the state, which has limited the supply doctors can prescribe.

The number of doses for acute pain fell to just under 17 million in 2017, from a high of 31.2 million in 2012. The average prescription also fell from 8.37 days to 7.1 days.

County-level data is also available from the Board of Pharmacy.

The Ohio State Medical Association said doctors have been working to reduce the number of opioid painkillers given to patients.

"Ohio physicians for this entire decade have dedicated themselves to being part of the solution to the opioid epidemic which has gripped our state and we're seeing the positive effects of that commitment," OSMA spokesman Reggie Fields said in a statement. "Through better pain management treatment efforts and clearer state rules and guidelines, physicians are better equipped to make appropriate decisions when it is necessary to prescribe an opioid."

The OSMA pointed to its Smart Rx program, designed to educate prescribers about the safe use of opioids.

"Still, more work needs to be done to reduce the number of opioids dispensed and Ohio physicians remain committed to providing high-quality medical care that is safe and in the best interest of patients," he said.

DeWine Sues Monsanto, Crew SC Operator/Investor And MLS

Attorney General Mike DeWine on Monday announced the filing of two lawsuits - one against a multinational agrochemical company and another designed to halt the possible move of the Columbus Crew.

Filed in Hamilton County Common Pleas Court, Mr. DeWine accuses Monsanto of producing and selling polychlorinated biphenyls from 1929 to 1977 despite knowing the risk the chemical compound posed to humans.

"Ohioans deserve to enjoy their natural resources without contamination from these toxic chemicals, and we believe Monsanto should be held responsible for the damage it caused," the gubernatorial candidate said in a statement. "Our goal in taking this action is to protect Ohio, its citizens, and its natural resources."

The company did not respond to a request for comment on the lawsuit by publication time.

PCBs were used in paints, inks, caulks, sealants, lubricants, electrical equipment and carbonless copy paper, according to the lawsuit.

The chemical compound builds up in living things and contaminates the food chain. In humans, PCBs are associated with cancer, skin and eye disorders, reduced birth weight and liver damage.

The contamination has also been found in fish, soil, plants and the air, the lawsuit alleged.

Despite learning of the toxicity of the chemical in the 1930, the company continued to use the product, according to the lawsuit, which alleges Monsanto was negligent and created a public nuisance through its manufacture, distribution and sale of PCBs.

The lawsuit seeks compensation and damages to investigate and remove PCBs from the state's natural resources.

Crew Lawsuit: Mr. DeWine also filed a lawsuit against Precourt Sports Ventures and Major League Soccer to stave off the soccer club's move to Austin.

The lawsuit is based on the "the Art Modell law," which states that an Ohio professional sports team that uses a "tax-supported facility" and receives financial assistance from the state or a political subdivision cannot relocate without an agreement with the political subdivision. It also must give the political subdivision or any group of individuals who reside in the area an opportunity to buy the team.

Among the allegations in the lawsuit is that the franchise accepted $5 million in state funds for improvements to parking facilities, the land on which its home stadium sits is exempt from property taxes and the land is leased at below-market rate.

"Loyal Crew fans in Columbus have invested their time and loyalty in this team, and they have allowed the Crew SC to capitalize from financial incentives paid for by their tax dollars. I am left with no other choice than to file this suit to ensure our laws are followed," Mr. DeWine said.

The franchise did not return a call seeking comment by publication time.

AG DeWine was joined in the lawsuit by the city of Columbus.

"Just as importantly, the team plays in a taxpayer-supported facility, and Precourt Sports Ventures and Major League Soccer have accepted financial assistance from the state of Ohio and the City of Columbus. State law provides us with this protection," Mayor Andrew Ginther said.

The lawsuit, filed in Franklin County Common Pleas Court, was the brainchild of Rep. Mike Duffey (R-Worthington). (See Gongwer Ohio Report, December 6, 2017)

"I am very pleased that our state's top law enforcement officer is vigorously enforcing longstanding Ohio law," he said in a statement. "The Crew SC is our team. Our town. Neither the MLS or Precourt Sports Ventures can operate above Ohio law."

Planned Updates To Give Farmers New Tool In Curbing Phosphorus Runoff

Upcoming improvements to a key tool could provide farmers with more real-time, actionable data on phosphorus runoff coming from their farms.

Called the Ohio Phosphorus Risk Index, the resource is facilitated by the U.S. Department of Agriculture and is soon slated for a host of upgrades that farmers and environmental groups in Ohio say will provide one more asset toward curbing phosphorous runoff.

"The idea is you'll put in real actual data and so you will get really specific information then on how to make use of that data," Ohio Farm Bureau spokesman Joe Cornely said in an interview. "And that's crucial because every farm is different - the soil type, the management practices, the type of nutrients."

The tool is aimed at assisting farmers in gauging their risk for phosphorus runoff. That runoff can degrade surface water quality and contributed to harmful algal blooms.

"Providing farmers with tools to be more efficient and environmentally conscious will help their businesses and their watershed," said Peter Bucher, water resources director for the Ohio Environmental Council. "Further identifying what works best at reducing nutrient runoff will allow more farmers to implement the appropriate practices for their property."

The new index is years in the making and is thanks to a project led by Elizabeth Dayton, a researcher in Ohio State University's College of Food, Agricultural and Environmental Sciences. The project was funded through a $1 million USDA Conservation Innovation Grant and $1 million in matching donations from Ohio farmer groups.

"The index provides a long-term, average estimate of field-scale phosphorus loss based on farmer specific inputs," Ms. Dayton said. "It gives farmers the ability to compare crop management scenarios and evaluate changes in phosphorus runoff, allowing them to prioritize time and resources when making management decisions."

The tool also helps put Ohio's goal to reduce phosphorus levels in Lake Erie by 40% by 2025 within reach, Ms. Dayton said. (See Gongwer Ohio Report, February 13, 2017)

"The index quantifies how voluntary changes in agricultural practices contribute to achieving target phosphorus runoff reduction goals," she added. "If you multiply that by the millions of crop acres in Ohio, the 40% reduction target appears achievable."

Mr. Cornely said solving the issue of phosphorus levels will "take a whole toolbox."

"And this is one more tool to go in that box," he said. "So when you look at this as it's employed in conjunction with other tools - some that exist, some still being in development - this is one good piece of that arsenal we need to fix the problem."

After harmful algal bloom activity in 2017 tied the third worst season on record, the United States Environmental Protection Agency is moving to reconsider whether Lake

Erie's western basin should be classified as impaired. (See Gongwer Ohio Report, January 22, 2018)

The Ohio Environmental Protection Agency has touted record spending on water quality projects in 2017, although advocates said more resources are needed. (See Gongwer Ohio Report, December 27, 2017)

House District 83: Former Nurse, Business Leader Face Off In GOP Primary

Republican contenders for the 83rd House District seat each say they can bring a unique perspective to the General Assembly thanks to their respective expertise in the medical and business fields.

Cheryl Buckland, a member of the Ohio Republican Party's State Central and Executive Committee, and Jon Cross, CEO of the Hardin County Chamber and Business Alliance, are vying to succeed Rep. Robert Sprague (R-Findlay), who is running for state treasurer.

Ms. Buckland, 63, was appointed to the ORP's leadership committee in 2013 and has been elected twice since then. A self-described "non-traditional candidate," she's spent four decades working at skilled nursing facilities, teaching nursing students and operating her own extended care facility.

"We have not had a nurse in the General Assembly since 2010," Ms. Buckland said. "With all due respect, we have a lot of people making healthcare decisions without a healthcare background.... I feel I can be a voice for every healthcare discipline."

Mr. Cross, 38, has a background in commercial real estate. He's held the top job at the Hardin County chamber since 2014 and before that spent several stints dabbling in politics in Kansas, California and Texas. In addition to some northeast Ohio campaigns, he also spent a two-year span as an advance man for then-California Gov. Arnold Schwarzenegger.

It's his current role, however, that he says gives him an up close look at Ohio's competitiveness with other states and places him on the front lines of drawing and keeping businesses in the Buckeye State.

"Every day as an economic development director, I'm responsible for helping to attract new businesses to our community and our region and helping existing companies with their current demands," Mr. Cross said. "So I think I bring a unique perspective to understanding what it takes to attract a business to Ohio or keep a business open and successful in Ohio."

When it comes to the forthcoming race for House speaker shaping up between Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford), both candidates declined to publicly weigh in at this point.

"Right now that's my focus: the primary," Ms. Buckland said. "I know both the gentlemen and I'm happy to make a declaration of support when that's necessary."

And although he said he's met with both speaker candidates, Mr. Cross echoed that sentiment. "My philosophy has been I have to win my race first," he said.

But there are plenty of other areas in which the candidates remain at odds. Mr. Cross in particular has questioned whether his opponent shares true conservative principles.

"I'm a proud Republican who supports our president," Mr. Cross said. "I'm a strong pro-life advocate. I will do anything I can to help save and protect human life. I don't believe my opponent is."

Ms. Buckland denied any claim that she doesn't support life. Still, she said her medical background has given her the ability to emotionally detach from the issue.

"As a health professional I've been trained to put my personal feelings aside and look at what is in the best interest of the patient," Ms. Buckland said. "When we look at issues that create such an emotional response in people what I can do is come to the table and get pragmatic answers. I support life, I respect death but I'm also very pragmatic and an objective thinker."

Although she supports life in healthcare and abortion-related matters, she also questioned whether politicians have inserted themselves too far into the patient-doctor relationship.

She lists her priorities if elected as advocating for farmers, steering health policy and supporting efforts to curb the opioid epidemic - an issue she saw firsthand through the addiction of her grandson. She described herself as an "out-of-the-box thinker" who can bring a new perspective to the drug fight.

"I know what I know and what I know I know very well but I'm not an expert in everything," Ms. Buckland said. "I would like to be a voice when we look at our entitlement programs - not unlike the drug crisis - and say are we spending the right dollars in the right places?"

She and her husband sold their extended care facility in 2008, but she said the experience running a business will give her valuable insight to carry into the Statehouse. She said her world travel would also be an asset - including stays in Africa, El Salvador, Russia as well as time spent delivering Polio vaccines in Portugal.

Mr. Cross said his desire to tackle issues from the business perspective easily ties into other pressing challenges facing the state, including workforce development, educational attainment, opioid addiction and adequately funding local communities.

"My largest overarching campaign platform is to make Ohio and the 83rd District safer, stronger and open for business," he said. "How do we get better and how do we

compete and how do we make sure policies are not driving people, business, education out of the state?"

His experience across the country, he said, showed him a new perspective on where Ohio stands in business friendliness compared to other states. He wants to be a voice for businesses large and small and is a strong defender of the 2nd Amendment, he said.

"We want to make sure rural America, rural Ohio, where you have large corporations to family farms, that perspective is brought into the conversation and policy decisions," Mr. Cross said.

Ms. Buckland and her husband, Larry, have seven stepchildren, 15 grandchildren and 15 great-grandchildren. Among her talents, she lists flamenco and tap dancing.

Mr. Cross, when he's not eating pizza and burgers on the campaign trail, enjoys spending time with his wife, Christina, and playing sports with his two sons, ages 3 and 7.

The winner of the Republican nomination will likely face Democrat Ashley Philipp of McComb who is running unopposed in the primary.

Subscribers Note: *This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's* Election Page *for more information on 2018 contests, including our* Key Races.

Rover, OEPA Clash Over Landslides, Detected Chemical Traces

The Ohio Environmental Protection Agency and Rover Pipeline builders continue to lock horns - this time engaging in a contentious back-and-forth over several land slips posing "serious threat to environmental resources."

The OEPA is also requesting new tests after the presence of a manufactured chemical, tetrachloroethene, was found in some drilling returns in Stark County.

The two issues are the latest battle grounds in the ongoing dispute between the two entities - which is simultaneously playing out in an ongoing court case in Stark County. (See Gongwer Ohio Report, February 5, 2018)

The landslip issue came to the forefront last month when Rover Pipeline LLC requested the Federal Energy Regulatory Commission approve temporary workspace for it to repair 28 landslips in Ohio and West Virginia.

But the OEPA, in a subsequent missive to FERC said the company's online filing was the first notice the agency received of the situation and blasted the company for failing to adequately notify the state.

"Ohio EPA is concerned that Rover and FERC did not immediately bring to our attention what Rover now describes as 'a serious threat to sensitive environmental resources,'" OEPA wrote. "Instead of trying to work around Ohio, we again call on Rover to be forthright and provide us with information so we can ensure the environment and citizens are protected."

Rover, meanwhile, argues the state is attempting to besmirch the company in order to gain more leverage in Ohio's ongoing lawsuit. And it accuses state regulators of not fully reading the company's filings in its "haste to cast aspersions."

"Ohio EPA's letter is the latest in a string of baseless claims regarding Rover that attempt to denigrate Rover to advance its own litigation position," Rover's response reads. "Notwithstanding that Ohio EPA does not have jurisdiction in this matter, Rover, on a voluntary basis, has cooperated with Ohio EPA regarding all of its inquiries irrespective of jurisdiction, including on potential impacts from Rover's construction activities."

The OEPA has accused the company of claiming the state has no role in protecting its own environment - an idea the agency called "absurd."

The agency wrote that it "absolutely" expects "to be informed of these troubling threats" and involved in "permitting of any potential impacts to streams and wetlands."

"Moreover, where impacts have occurred, Rover needs to clearly gain our approval of actions to minimize impacts and repair the damage they have done," OEPA added.

The ongoing tiff over those land slips is just one of the conflicts the parties are engaged in. Another dispute arising in recent week centers on the presence of tetrachloroethene or PCE in some drilling fluid returns along the Tuscarawas River.

PCE is a liquid chemical that in high levels is thought to headaches, dizziness, unconsciousness and other effects and it is considered by the government as a potential carcinogen, according to the Ohio Department of Health.

The chemical levels detected in Rover returns registered below the U.S. Environmental Protection Agency's regional screening risk level for direct contact, according to the OEPA, but levels clocked in above the screening threshold of soil leaching to groundwater.

As a result, OEPA asked federal regulators to force Rover to conduct additional sampling along with a separate sampling of drilling fluid source water in an effort to pinpoint the PCE's point of origin.

"These additional samples should be taken immediately and the results submitted to our attention for further evaluation," OEPA wrote.

Rover, in turn, argues that PCE is a "prominent contaminant in the environment" and that Ohio has reported multiple instances of detections in the environment in circumstances not affiliated with the project. The company characterized the levels were "minor and non-hazardous."

"Ohio EPA has documented impacts of PCE contamination in the waters of the state and engaged in several initiatives to achieve attainment," Rover said. "Accordingly, Ohio EPA's new-found concerns are as spurious as they are disingenuous."

New Member Profile: Rep. McClain Follows In Father's Footsteps

Rep. McClain has worked in business and currently serves as director of finance and customer service for Doc Investments LLC, an online precious metals retailer. The metals retailer was designed to emphasize a low-cost retail model.

"I'm pretty experienced with the changing of what the business market looks like with online retail and some of the opportunities that go along with that," he said.

As state representative, he hopes to focus on policies that will help build small businesses.

Rep. McClain said another important focus for him is on policies that help families. Rep. McClain and his wife have been married for more than 10 years and have three children, ages 2, 4 and 8.

"I'm about Ohio families," he said. "I value the family structure greatly and what that does in setting kids up, and Ohio up, our communities up for greatness."

Promoting families can help communities deal with issues and help each other, he said.

"I want to be an advocate for families taking care of each other, being good stewards of our children and being able to foster environments where people have the resources they need to find the help that they need in their own communities and foster a culture of people helping people," he said.

Rep. McClain said he spends a lot of his time outside of work with his children and family as well as remodeling his house.

He holds a bachelor's degree from Bluffton University and a Master of Business Administration from the University of Findlay.

At Bluffton, Rep. McClain was on the baseball team, playing several positions including shortstop, outfield and pitcher. One summer he traveled Europe with Athletes in Action, a ministry of Campus Crusade for Christ. The team played clubs in France, Germany and the Czech Republic, while also doing ministry activities with children and at camps.

"It was almost a barnstorming tour to spread baseball in Europe," he said.

Although he's familiar with the work of the House after seeing his father's experience, Rep. McClain said he hopes to prove himself and find ways to contribute, he said.

"The hat's on my head now and I'm moving forward to do everything I can to be responsive," he said.

Politics Notebook: Buckeye Institute Highlights Capital Budget 'Pork'; Taylor Picks Up Endorsement; Schiavoni Releases New Ad; Balderson Touts War Chest

The Buckeye Institute on Monday unveiled its Top 10 Worst Capital Budget Requests of 2018.

All told, the projects highlighted by the Buckeye Institute total more than $18 million, according to the report.

Among the projects singled out is $4 million for a Major League Soccer stadium in Cincinnati, $2.5 million to expand the Cleveland Museum of Natural History and $5 million for the COSI Connection Corridor.

"If these, and other pork projects in the budget, were funded using local or private dollars, as they should be, Ohio could have at least $85 million more that it could spend on pressing state priorities, save, or better yet, return to taxpayers," Greg R. Lawson, research fellow at Institute, said in a statement.

Mr. Lawson also lamented the lack of funding for strengthening the state's physical and democratic infrastructure.

"Policymakers should do more to heed our call to focus the capital budget on strengthening Ohio's physical and democratic infrastructure and move away from projects of predominately local interest," he said. "Simply put, it is hard to see how it benefits someone in Youngstown for Cincinnati to get a soccer stadium or how people in Cleveland benefit from renovations to COSI."

Taylor Endorsement: Lt. Gov. Mary Taylor on Monday picked up an endorsement in her gubernatorial bid in the form of U.S. Sen. Steve Daines (R-Mont.).

In announcing his endorsement, Mr. Daines said he has known Ms. Taylor's running mate, Nathan Estruth, for many years.

"Lt. Governor Mary Taylor is a conservative who has and will continue to challenge the status quo establishment in Ohio. It is important to elect leaders in states across the country - and especially in the swing state of Ohio - who will fight for a bold conservative agenda alongside the people's representatives in Washington," he said in a statement.

"We need more private sector experience and principled conservatives to tame the over-reach of government at the federal and state levels, and the Mary Taylor/Nathan Estruth ticket are the only ones in either party who bring that for the people of Ohio."

Added Ms. Taylor in a statement: "Senator Daines' support today and over the next 68 days adds to our growing momentum as conservatives across Ohio and the country rally around my campaign as the true conservative in this race."

New Ad: Sen. Joe Schiavoni (D-Boardman) is out with a new ad in which he highlights his desire to create opportunities for future generations.

The 30-second spot, "For Them," features Sen. Schiavoni's family, including his two children.

"As a parent, everything you do is for them. The simple lessons, the big decisions, you want them to succeed," he says in the ad. "But you worry - what opportunities will be there for them?"

Balderson Warchest: The congressional campaign of Sen. Troy Balderson on Monday announced that it has raised $300,000 in the eight weeks since the Zanesville Republican officially entered the race.

"This campaign has had non-stop momentum since day one, and I could not be more grateful to the many contributors of this effort," he said in a statement. "So many people from my Senate District and throughout Central Ohio have asked to be a part of our campaign because they know that my conservative record makes me the best candidate to help fix a broken Washington."

Supplemental Agency Calendar

Thursday, March 15

Criminal Sentencing Commission, 31st Fl., 77 S. High St., Columbus, 10 a.m.

Supplemental Event Planner

Tuesday, March 6

Sen. Rob McColley **(R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for McColley)**

Wednesday, March 7

Ohioans to Stop Execution news conference on clemency hearing, Ladies Gallery, Statehouse, Columbus, 10 a.m.

Monday, March 12

Sen. Steve Wilson **(R-Maineville) fundraiser, Queen City Club, 331 E. Fourth Street, Cincinnati, 5 p.m., (Host: $5,000 | Sponsor: $2,500 | Supporter: $1,000 | Attendee: $500 to Steve Wilson for Ohio)**

Tuesday, March 13

Rep. Anne Gonzales **(R-Westerville) fundraiser, The Keep, 50 W. Broad Street, Columbus, 4:30 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for Anne Gonzales)**

Sen. Stephanie Kunze **(R-Hilliard) &** Rep. Mike Duffey **(R-Worthington) fundraiser, Pins Mechanical Co., 6558 Riverside Drive, Dublin, 5:30 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $250 to Citizens for Stephanie Kunze and/or Citizens for Duffey)**

Wednesday, March 14

Sen. Bill Coley **(R-Liberty Twp.) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Friends of Bill Coley)**

Tuesday, March 20

Sen. Bob Hackett **(R-London) & Sen. Lou Terhar (R-Cincinnati) fundraiser, Athletic Club of Columbus - Gold, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Hackett for Ohio and/or Friends of Lou Terhar)**

Wednesday, March 21

Sen. President Larry Obhof **(R-Medina) fundraiser, Athletic Club of Columbus - Crystal, 136 E. Broad Street, Columbus, 7:30 a.m., (Sponsor: $2,500 | Host: $1,000 | Guest: $500 to Citizens for Obhof)**

Tuesday, April 10

Sen. Gayle Manning **(R-N. Ridgeville) &** Sen. Stephanie Kunze **(R-Hilliard) fundraiser, Buckeye Bourbon House, 36 E. Gay Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Committee to Elect Gayle Manning and/or Citizens for Stephanie Kunze)**

Wednesday, April 11

Sen. Bob Peterson **(R-Sabina) &** Sen. Steve Wilson **(R-Maineville) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Peterson for Good Government and/or Steve Wilson for Ohio)**

Tuesday, April 17

Sen. Scott Oelslager **(R-N. Canton) &** Sen. Frank Hoagland **(R-Adena) fundraiser, Athletic Club of Columbus - 136 E. Broad Street, Columbus, 5 p.m., (Checks to Oelslager for Ohio Committee and/or Hoagland for Ohio)**

Wednesday, April 18

Ohio University State Government Alumni Luncheon, Athletic Club, 136 E. Broad St., Columbus, 11:30 a.m., (Social: 11:30 am; Luncheon: 12 pm)

Sen. Jay Hottinger **(R-Newark) & Sen. Matt Dolan (R-Chagrin Falls) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Citizens for Hottinger and/or Friends of Matt Dolan)**

Tuesday, April 24

Rep. Andy Brenner **(R-Powell) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 11:30 a.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Brenner for Ohio)**
Sen. Matt Huffman **(R-Lima) &** Sen. John Eklund **(R-Chardon) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: $1,000 | Host: $500 | Guest: $350 to Matt Huffman for Ohio and/or Friends of John Eklund)**

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Click the ▼ after a bill number to create a saved search and email alert for that bill.

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From: Finlay, Serena
Sent: Thursday, March 8, 2018 1:57 PM
To: Paretti, Dominic
Subject: Deadline Tomorrow: Request for Co-Sponsorship – Paid Family and Medical Leave

REMINDER-DEADLINE TO CO SPONSOR IS TOMORROW AT 4PM

Ohio House of Representatives

MEMORANDUM

TO:	All House Members
FROM:	Representative Janine Boyd and Representative Kristin Boggs
DATE:	February 5, 2018
RE:	Request for Co-Sponsorship – Paid Family and Medical Leave

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25th anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**

Janine Boyd
State Representative, Ohio House District 09

Kristin Boggs
State Representative, Ohio House District 18

From: Gongwer News Service
Sent: Thursday, April 5, 2018 6:36 PM
To: DL_Gongwer
Subject: Ohio Report, Thursday, April 5, 2018
Attachments: Apr6Schedule.htm; Apr5.htm; 180405dayplan.htm; Apr5House.htm

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OHIO REPORT
THURSDAY, APRIL 5

Years In The Making, Dating Protection Order Bill Signed Into Law

State Regulators Temper Expectations For Medical Marijuana Launch

Medicaid Managed Long-Term Care Hinges On Evaluations Of MyCare Ohio

Republican Introduces Bill To Enact Kasich-Proposed Firearm Changes

Justice Review Explores Effective Policing Strategies

State Revenue Steady In March, Keeps Stream Above Estimates For The Fiscal Year

School Funding, Accessibility Among Themes Driving GOP Primary Contest In House District 67

Super PAC Launches Pro-Balderson Ad Campaign; NARAL Pro-Choice Backs Cordray; Rand Paul Endorses Taylor

Agency Briefs: ODOT Plans Busy Construction, Maintenance Season; IG; BWC; SOS

Supplemental Agency Calendar

Supplemental Event Planner

ACTIVITY REPORTS

House

CALENDARS

Day Planner

Legislative Committee Schedules

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Legislative Committee Schedules beginning 4/6/2018

Tuesday, April 10

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 9 a.m.

HB 508 OHIO CORPS (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (6th Hearing-All testimony-Possible amendments)

HB 318 SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers. (2nd Hearing-All testimony-Possible amendments & vote)

Senate Energy & Natural Resources (Committee Record) (Chr. Balderson, T., 466-8076), Finance Hearing Rm., 9:30 a.m.

SB 257 SPORTING LICENSURE (Uecker, J., O'Brien, S.) To make changes to the laws governing hunting and fishing. (2nd Hearing-All testimony-Possible amendments & vote)

HB 225 OIL GAS WELLS (Thompson, A.) To modify the law governing idle and orphaned oil and gas wells. (3rd Hearing-All testimony-Possible amendments & vote)

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.

HB 545 SALES TAX REMITTANCE (Arndt, S.) To authorize small retailers to remit sales taxes when the retailer receives payment from the purchaser if the payment is received after the purchased item is delivered or the service is provided. (1st Hearing-Sponsor)

HB 513 HOMESTEAD EXEMPTION (Brenner, A., Ginter, T.) To enhance the homestead exemption for surviving spouses of peace officers, firefighters, and emergency medical personnel killed in the line of duty. (2nd Hearing-Proponent-Possible amendments)

HB 524 COLLEGE SAVINGS (Scherer, G., Patterson, J.) To expand the income tax deduction allowed for contributions to Ohio's 529 college savings program to include contributions to 529 programs established by other states. (2nd Hearing-Proponent)

HB 232 TAX DEDUCTION (Rogers, J., Rezabek, J.) To authorize, for six years, a personal income tax deduction for attorneys and pass-through entity law firms based on the number of hours the attorney performed pro bono legal work for indigent clients through a legal aid society and the expenses associated with that work. (2nd Hearing-Proponent)

Senate Public Utilities (Committee Record) (Chr. Beagle, B., 466-6247), Finance Hearing Rm., 10:30 a.m.

- **Confirmation hearing on attorney general's appointment of Beverlyn Johns, Consumers' Counsel Governing Board**

HB 422 WATER SEWER ACQUISITIONS (Ginter, T., Rogers, J.) To govern acquisitions of municipal water-works and sewage disposal system companies by certain larger

nonmunicipal water-works or sewage disposal system companies. (1st Hearing-Sponsor)

HB 478 WIRELESS SERVICES (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (4th Hearing-All testimony-Possible amendments)

House Agriculture & Rural Development (Committee Record) (Chr. Hill, B., 644-6014), Rm. 116, 11 a.m.

HB 501 VETERINARY TITLES (LaTourette, S., Huffman, S.) To change professional title of "registered veterinary technician" to "registered veterinary nurse." (4th Hearing-All testimony-Possible vote)

House Economic Development, Commerce & Labor (Committee Record) (Chr. Young, R., 644-6074), Rm. 113, 1:30 p.m.

HB 171 EMS SHIFTS (Patmon, B.) To limit the hours worked in a work shift and to require work breaks for emergency medical service providers. (1st Hearing-Sponsor-Possible substitute)

HB 331 ACCIDENT REPORTS (Ingram, C.) To prohibit the use of information obtained from an accident report by any person for commercial solicitation purposes. (1st Hearing-Sponsor-Possible substitute)

HB 433 VETERINARY EDUCATION (Kelly, B., Brinkman, T.) To allow a licensed veterinarian to receive up to two continuing education credits per biennium for performing free spaying and neutering services. (4th Hearing-All testimony-Possible vote)

HCR 24 GOVERNMENT REGULATIONS (Riedel, C., Holmes, G.) To urge Congress to propose the Regulation Freedom Amendment to the Constitution of the United States. (2nd Hearing-Proponent)

HB 236 ELEVATOR LAW (Patton, T., Cupp, R.) To enact the Model Elevator Law. (2nd Hearing-Proponent-Possible substitute)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m.

- **Confirmation hearing on governor's appointments of Megan Cremeans and Zachary Haines, Miami University Board of Trustees; Iris Martinez Juergens, Central State University Board of Trustees and Kathy Maguschak, Eastern Gateway Community College Board of Trustees**

SB 271 SPORTS EVENTS (Kunze, S., Eklund, J.) To remove limitations on the amount of sports events grants that may be awarded in a fiscal year or for a specific grant, and to fund the grant program by diverting state sales tax receipts to a custodial fund administered by the Director of Development Services. (1st Hearing-Sponsor)

HB 353 UNCLAIMED FUNDS (Reineke, B.) To exempt certain open-loop prepaid cards, closed-loop prepaid cards, and rewards cards from the Unclaimed Funds Law. (2nd Hearing-Proponent)

SB 246 STUDENT REMOVAL (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in

accordance with state standards, and to make an appropriation. (4th Hearing-All testimony)

SB 116 MILITARY TRANSFERS (LaRose, F., Williams, S.) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits. (2nd Hearing-All testimony-Possible vote)

SB 135 VOTING EQUIPMENT (LaRose, F.) To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program. (4th Hearing-All testimony-Possible amendments)

House Federalism & Interstate Relations (Committee Record) (Chr. Roegner, K., 466-1177), Rm. 115, 4 p.m.

HB 228 GUN LAWS (Johnson, T., LaTourette, S.) To assign to the prosecution the burden of disproving a self-defense or related claim, to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and to modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. (4th Hearing-All testimony-Possible substitute & vote)

HB 253 CONCEALED WEAPONS (Householder, L., Lanese, L.) To permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. (4th Hearing-All testimony-Possible vote)

House Education & Career Readiness (Committee Record) (Chr. Brenner, A., 644-6711), Rm. 121, 4 p.m.

- **Presentation on school funding in Ohio by EdBuild**
- **1st Hearing-Sponsor testimony on bill from Rep. Duffey-Pending introduction and referral**

HB 549 SCHOOL YEAR (Arndt, S.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (1st Hearing-Sponsor)

HB 540 TEACHER EVALUATIONS (Gavarone, T., Manning, N.) With regard to teacher evaluations. (2nd Hearing-Proponent)

Wednesday, April 11

House Health (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

HB 231 CONTROLLED SUBSTANCES (Ginter, T., Sprague, R.) To require pharmacists to offer to dispense controlled substances in lockable or tamper-evident containers. (5th Hearing-All testimony-Possible vote)

HB 464 STROKE PATIENTS (Lipps, S., Antonio, N.) To provide for recognition of stroke centers and establishment of protocols for assessment, treatment, and transport to hospitals of stroke patients. (4th Hearing-All testimony-Possible vote)

HB 456 NURSING OVERTIME (Sprague, R.) To prohibit a hospital from requiring a registered nurse or licensed practical nurse to work overtime as a condition of continued employment. (3rd Hearing-All testimony-Possible substitute)

HB 546 TELEMEDICINE (Patton, T.) To prohibit health benefit plans from treating telemedicine services differently from in-person health care services solely because they are provided as telemedicine services. (1st Hearing-Sponsor)

HB 559 CHILD IMMUNIZATIONS (Gonzales, A., Landis, A.) To make changes to the law governing immunization of children enrolled in school, preschool programs, and day-care programs. (1st Hearing-Sponsor)

HB 541 VOLUNTEER HEALTH SERVICES (Patterson, J., LaTourette, S.) To authorize health professionals licensed in other states to provide volunteer health services during charitable events. (2nd Hearing-Proponent)

HB 326 PRESCRIBING AUTHORITY (Seitz, B., Gavarone, T.) To authorize certain psychologists to prescribe psychotropic and other drugs for the treatment of drug addiction and mental illness. (2nd Hearing-Proponent)

HB 72 STEP THERAPY (Johnson, T., Antonio, N.) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. (5th Hearing-All testimony)

HB 557 ART THERAPY (Anielski, M.) To require the licensure of art therapists and to require the State Medical Board to regulate the licensure and practice of art therapists. (2nd Hearing-Proponent)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 133 DISASTER WORK (Ryan, S.) To create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. (2nd Hearing-All testimony)

Senate Public Utilities (Committee Record) (Chr. Beagle, B., 466-6247), Finance Hearing Rm., 9:15 a.m.

HB 478 WIRELESS SERVICES (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (5th Hearing-All testimony-Possible amendments & vote)

Tax Expenditure Review Committee (Chr. Oelslager, S., 466-0626), Senate Finance Hearing Rm., 10 a.m.

- **Review of sales to churches and certain other non-profit organizations; sales to the state, any of its political subdivisions and certain other states; sales by churches and certain types of non-profit organizations; tangible personal property used primarily in manufacturing tangible personal property and packaging and packaging equipment**

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 10 a.m.

SB 268 THEFT IN OFFICE (Wilson, S.) To expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. (1st Hearing-Sponsor)

SB 219 FIREARM ACCESSORIES (Thomas, C.) To prohibit certain conduct regarding trigger cranks, bump-fire devices, and other items that accelerate a semi-automatic firearm's rate of fire but do not convert it into an automatic firearm. (1st Hearing-Sponsor)

SB 278 **FIREARM ACCESS** (Schiavoni, J., Williams, S.) To enact the Extreme Risk Protection Order Act to allow family members, household members, and law enforcement officers to obtain a court order that temporarily restricts a person's access to firearms if that person poses a danger to themselves or others. (Informal Hearing-Sponsor)

HB 137 **CHILD ABUSE REPORTING** (Kent, B.) To make municipal and county peace officers mandatory reporters of child abuse or neglect. (2nd Hearing-Proponent)

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments. (6th Hearing-All testimony-Possible amendments & vote)

SB 201 **PRISON TERMS** (Bacon, K., O'Brien, S.) To provide for indefinite prison terms for first or second degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; and to name the act's provisions the Reagan Tokes Law. (4th Hearing-All testimony-Possible amendments & vote)

HB 122 **ECONOMIC DEVELOPMENT** (Hambley, S., Rogers, J.) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. (4th Hearing-All testimony-Possible amendments & vote)

SB 255 **OCCUPATIONAL LICENSING** (McColley, R.) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations. (3rd Hearing-Opponent)

Senate Rules & Reference (Committee Record) **(Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.**
House Session (Committee Record) **(Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.**
Senate Session (Committee Record) **(Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.**
House Civil Justice (Committee Record) **(Chr. Butler, J., 644-6008), Rm. 121, 3 p.m. or after session**

HB 480 **MULTI-PARCEL AUCTIONS** (Hill, B.) To establish requirements governing multi-parcel auctions. (2nd Hearing-Proponent)

HB 419 **EMERGENCY LIABILITY** (Henne, M.) To modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. (3rd Hearing-All testimony-Possible amendments & vote)

Senate Education (Committee Record) **(Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.**

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (1st Hearing-Sponsor)

HB 438 ESC BOARDS (Hambley, S., Kick, D.) To permit the addition of appointed members to educational service center boards, to permit a local school district to sever its territory from one educational service center and annex that territory to an adjacent service center under specified conditions, and to authorize educational service centers to establish local professional development committees. (1st Hearing-Sponsor)

HB 21 COMMUNITY SCHOOLS (Hambley, S.) Regarding verification of community school enrollments. (4th Hearing-All testimony-Possible amendments)

Thursday, April 12

~~Canceled: Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.~~

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1 p.m.

- If needed

Monday, April 16

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 644-6030), Senate Finance Hearing Rm., 1:30 p.m.

Wednesday, April 18

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

- If needed

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

- If needed

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

- If needed

Thursday, April 19

Joint Education Oversight Committee (Committee Record) (Chr. Manning, G., 466-8150), Senate South Hearing Rm., 8:45 a.m.

- Presentation on Value Added by John White and Jennifer Bell of the SAS EVAAS Group
- Update on progress of other research projects (tentative)

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1 p.m.

- If needed

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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Volume #87, Report #66 -- Thursday, April 5, 2018

More Than A Year In The Making, Kasich Signs Protection Order Bill

Ohio joined 48 other states on Thursday when Gov. John Kasich signed a measure into law allowing for the issuance of civil dating violence protection orders.

The governor's signing of the legislation (HB 1) comes more than a year after a similar measure was scuttled in last session's lame duck period.

It was designated the first priority bill last year in the House after the Senate declined to take a concurrence vote on a previous version in the waning moments of the 131st General Assembly. (See Gongwer Ohio Report, December 9, 2016)

This time around the measure that garnered unanimous support in both chambers had bipartisan co-sponsors in Rep. Emilia Sykes (D-Akron) and Rep. Nathan Manning (R-N. Ridgeville).

An emotional Rep. Sykes, who was joined at the signing ceremony by her parents, Sen. Vernon Sykes (R-Akron) and former Rep. Barbara Sykes, said that in her very first interview with a Statehouse reporter she vowed to make dating violence protection orders a priority. Two years later, she said she is "elated, proud and truly honored."

"For entirely too long victims of dating violence have been in the shadows," she said.

Rep. Sykes also said the measure will send a message to both abusers and the abused.

"The people of this state need to know their leaders are willing to stand by them in their times of need," she said. "House Bill 1 does exactly that."

Proponents of the bill said the lack of dating violence protection left thousands at risk because current law defines domestic violence as occurring between spouses, family members, those cohabiting or parents.

One of the architects of the bill that stalled in of the previous General Assembly, former Rep. Christie Kuhns, said during testimony on the measure that research conducted 2003-2012 found most domestic violence was committed by a current or former boyfriend or girlfriend.

Ms. Kuhns during the signing ceremony thanked Speaker Cliff Rosenberger (R-Clarksville) for making the legislation the House's top priority, calling it a "commendable show of bipartisanship."

Sen. Kevin Bacon (R-Minerva Park), who ushered the bill through the Senate Judiciary Committee, said the legislation took longer than some thought it should to pass.

"You work through these bills," he said. "They might sound easy, but they're not."

Before signing the bill, Gov. Kasich brought up legislation (HB 585) that came to fruition after he convened a bipartisan working group to look into gun violence. One proposal was to ensure that those convicted of domestic violence cannot legally own a firearm. *(See separate story)*

"That should be a gimme," he said.

As for the bill he signed, he called it "just one more step in the area of justice with a long way to go."

State Regulators Temper Expectations For Medical Marijuana Launch

Not all dispensaries and products will be available to patients when Ohio's medical marijuana program launches Sept. 8, state regulators said Thursday.

But representatives from the Department of Commerce and the pharmacy and medical boards each said they're confident they can meet that statutory deadline to have the program up and running in some form.

"To us, the vision for Sept. 8 is patients are going to be able to go to dispensaries and have access to medical marijuana," Mark Hamlin, DOC's senior policy advisor, said after a meeting of the Medical Marijuana Advisory Committee.

The law requires the program to be "fully operational" by Sept. 8. What exactly that means is subject to interpretation, but Mr. Hamlin said those hoping the state will have the maximum 57 dispensaries open this fall are likely to be disappointed.

"Do I think there will be 57? Do I think there needs to be 57 on day one? I don't," he said. "So that by itself means a patient may have to drive farther to access medical marijuana than they ultimately would. I think it will be limited but it will be available."

He called the launch date a "checkpoint" rather than the "finish line" and said the agency and others involved in the rollout don't want to emulate the programs in other states - particularly Illinois - that overestimated the patient population on day one and left businesses hanging in a financial lurch.

"We will be operational," said DOC Director Jacqueline Williams. "But we have to temper our view of what this program is going to look like on day one."

The program has sparked continued questions over whether regulators can meet the deadline later this year - concerns only strengthened by recent controversy over the

handling of cultivator application scoring. (See Gongwer Ohio Report, February 20, 2018)

Following those questions, the department announced late last year it would pursue a third-party auditor to review the scoring and identify potential improvements. An attorney general-appointed special counsel - Squire Patton Boggs - is working now to finalize that third party, which Mr. Hamlin expects to be named in the coming days. (See Gongwer Ohio Report, December 14, 2017)

The fact that the third party hasn't yet been finalized has hindered the nearly 70 administrative appeals waiting to be heard, Mr. Hamlin said. "Time is of the essence." (See Gongwer Ohio Report, January 23, 2018)

A.J. Groeber, executive director of the State Medical Board, and Erin Reed, senior legal counsel for the State Board of Pharmacy, also told committee members they should keep their expectations in check.

"I expect it to be in operation but also very limited in operation," Mr. Groeber said. "Absolutely we will have dispensaries open but they will be limited. There will be limited product available...but that product will have been tested and will have been processed appropriately.

"If anyone expects this to be fully blown on Sept. 8 that's not a realistic expectation," he added.

Mr. Groeber said 40-50 applications were received from physicians seeking a certificate to recommend. The first batch will likely be approved at the board's April 11 meeting.

"They are geographically dispersed around the state, so that's great," Mr. Groeber said, adding that more certifications are likely to be granted.

Ms. Reed said her board plans to announce dispensary licensing awards in early May. In the meantime, the board is preparing a third round of testing for its patient registry and plans to publish information on its in-progress toll-free hotline closer to June.

"I think it's really important the committee and the public have realistic expectations for what Sept. 8 is going to look like," Ms. Reed said.

Mr. Hamlin, formerly chief of staff to Lt. Gov. Mary Taylor before joining DOC a month ago, is spearheading and coordinating its medical marijuana efforts with the two regulatory boards.

As for the lawsuits, he told reporters and the committee the department believes the process used to score applications was "both legal and valid" and that the litigation won't derail the timetable.

"If somebody throws a wrench into the timeline we're working on we're going to talk about how we'll deal with that," he said. "But at this point those things are all unknowns that can't really slow down the work we're doing so we're proceeding with the provisional licenses...with an eye for September."

DOC expects to begin issuing provisional testing lab licenses in early May.

"Our intention is any and all of the public university applicants who qualify under the scoring we'll announce those in early May. Any private lab we'll announce in early June," Mr. Hamlin said. "We think we really need to have a lab operational by mid-August to test the marijuana to come from the first cultivator harvest."

Mr. Hamlin said he anticipates the department will appear before the Controlling Board on April 23 to request a "couple million dollars" for staffing and other resources needed for the program. A defined figure isn't yet set, he said.

"What I think the legislature wants to see is that request we ask for is tied into a vision and a strategy," Mr. Hamlin said. "And I think that we have one. I think it continues to evolve but I think that's the burden that's on us to demonstrate."

Medicaid Managed Long-Term Care Hinges On Evaluations Of MyCare Ohio

A working group looking at the potential move of Medicaid long-term services and supports has a lot of issues to review, ranging from whether a floor should be set for rates to who should provide care coordination.

At the heart of the matter, however, lies a key question: Has the state's MyCare Ohio project, which provides managed long-term services and supports services for certain dual Medicaid/Medicare enrollees, been successful?

The debate that featured prominently in negotiations over the biennial budget (HB 49) continued Thursday as the Medicaid Managed Long-Term Services and Supports Study Committee met to consider a variety of questions about barriers to health care outcomes, state rule redundancies and best practices for service delivery.

Pete Van Runkle, executive director of the Ohio Health Care Association, which represents nursing facilities, said more data is needed to determine just how successful the nearly four-year-old MyCare project has been.

"When you dig deep, we don't really have much data about what's happened with MyCare Ohio," he said. "We have a lot of people's opinions. We have many things that you can say about it anecdotally."

Mr. Van Runkle said it's unclear just how much the state has saved from the MyCare program's move of LTSS into managed care, which covers dual-eligible enrollees in

mostly large urban counties - and how the quality of care compares to the same services provided under the old fee-for-service model.

Miranda Motter, president and CEO of the Ohio Association of Health Plans, said the lack of clear evaluations of and payment for quality under fee-for-service also equates to a lack of data.

Moving LTSS into managed care would likely improve the quality of services provided, she argued.

"I think that's the reason that many of us are sitting at this table," she said. "I think many of us think that we can do better."

Ms. Motter pointed to MLTSS programs in other states as an indicator that the move could improve quality while reducing costs in Ohio.

"Under a managed care long-term services and supports care coordinated approach, there are clear, measurable points of accountability," she said.

Many provider groups said the system should encourage value-based payment models, but they also want a rate floor or other guardrails to ensure rates aren't cut.

"There need to be rate protections in place. MCOs love to cut rates," said Chris Murray, director of economic and policy analysis for the Academy of Senior Health Sciences. "That's just not going to work in the long-term services and supports system."

Kathryn Brod, president and CEO of LeadingAge Ohio, said managed care could improve quality by creating a system to pay more for better quality care.

"If we could develop a quality design system in an MLTSS system that allows us to leverage the quality in a different way than we can in a fee-for-service system, we would look for that," she said.

Any system that pays based on performance should align the outcomes for both the providers and the managed care organizations, she said. The system should also acknowledge the benefits of having staff in long-term care facilities, who interact with residents every day, serve as care coordinators.

"We seek contracts that fully tap our providers' care management expertise," Ms. Brod said.

Jean Thompson, executive director of the Ohio Assisted Living Association, said her member facilities also need to be considered in any changes. The payment rate they receive from Medicaid hasn't changed since the Assisted Living Waiver was implemented in 2006 despite the rapid growth of assisted living, she said.

"Our people can't go lower, and they are not going to support the expansion of managed long-term services and supports without a guarantee that they would at least receive the stated amount," she said.

Ms. Thompson also emphasized that assisted living facilities already provide care coordination, and that managed care could duplicate that effort.

"In assisted living, managed care has added an inefficient duplication," she said. "The care services for private pay assisted living residents, which are most of the assisted living residents in Ohio, are managed and coordinated by the assisted living staff."

Some groups are open to the change but want to ensure it goes more smoothly than the MyCare transition. Deb Studer, a board member of the Ohio Council for Home Care and Hospice, said the group has worked with the Department of Medicaid and the OAHP to ease some concerns.

"While the MyCare program has created much frustration at times, we have learned a great deal," she said.

A new program should ensure people have the ability to choose home care and provide for a smooth transition from hospitals to home and community-based services, she said.

Barbara Riley, with the Ohio Aging Advocacy Coalition, urged lawmakers to ensure any move is focused on improving services for both the client and their caregivers.

"Clearly we are supportive of any move that would better manage the services and supports that are delivered to those who are aging in Ohio and need care, either in their homes or in other long-term care settings," she said.

Republican Introduces Bill To Enact Kasich-Proposed Firearm Changes

Rep. Michael Henne on Thursday proposed a range of changes to firearm laws, including creating gun violence protection orders and banning purchases of firearms for third parties.

His legislation (HB 585) encompasses many of the same ideas Gov. John Kasich announced last month as a way to tackle gun violence while protecting Americans' Second Amendment rights.

"They're just sensible changes that are going to help actually keep guns out of the hands of people who shouldn't have them without stepping on the rights of the ones who are the responsible gun owners," Rep. Henne said in an interview.

Major changes in the proposal include the creation of extreme risk protection orders in which law enforcement or a family member could petition a court to force a person to relinquish their firearms if they are deemed a threat to themselves or others.

"They have the due process to protect the peoples' right with specific definitions of what is permissible," Rep. Henne said. "It's got to be 'clear and convincing' evidence and the person will have a right to make their case why they shouldn't have their guns taken away."

It would also ban the sale of armor-piercing ammunition and prohibit so-called "strawman" purchases, or firearm acquisitions on behalf of a third party.

"If you're giving it as a gift, that's one thing, but if you're buying it for somebody else because they don't want to do a background check that would be against the law," Rep. Henne said.

Other changes in the plan include:

- Mirroring federal law regarding individuals who may not possess a firearm or dangerous ordnance, including those who: were convicted of a felony or domestic violence, violated a protective order, or were dishonorably discharged from the military.

- Requiring protection orders to be entered into the federal National Crime Information Center and Law Enforcement Automated Data System databases.

- Adopting the federal definition of an automatic firearm.

The Clayton Republican said he's long been working on the protection order language. When he heard Gov. Kasich's proposals, he said, he reached out to the administration and sought to wrap those proposals into his bill.

"When the governor's right, he's right," Rep. Henne said. "I don't always agree with him on everything, but he's right on this issue."

Rep. Henne said he anticipates a first hearing next week, although the legislation hasn't yet been assigned to a particular committee.

Brad Miller, spokesman for House Speaker Cliff Rosenberger, said the speaker appreciates Rep. Henne's effort to spark further discussion.

"This is something that the caucus as a whole will review and provide input to," Mr. Miller said. "What House Bill 585 does is take the recommendations from the governor's working group and put those concepts into one bill so that when members discuss these ideas and issues, they have a single document to refer to."

Rep. Henne's proposal is likely to face criticism, at least based on the resistance gun groups have already expressed to Gov. Kasich's proposals. That slate of proposals was unveiled at a Statehouse news conference the month following a mass shooting at a Florida high school that left 17 people dead. (See Gongwer Ohio Report, March 1, 2018)

The Buckeye Firearm Association, for instance, voiced support for the governor's proposal to limit "strawman" purchases but called the rest of the governor's plan "political grandstanding" written by "somebody who either doesn't understand firearms or doesn't care about peoples' lives."

Democrats, however, voiced their support for many of the governor's recommendations and said the country has reached a "breaking point" with gun violence.

Rep. Henne, who faces term limits this year, said he's anticipating pushback on the legislation. Thus far, he has no cosponsors on the bill.

"People will say I didn't go far enough or say I went too far," he said. "But we're willing to work with anybody."

He said he tried to draft the protection order language using guidelines he believes the National Rifle Association will support.

"Some people want to blame the guns, but we all agree we need to keep guns away from people who don't have the capacity to have guns," the sponsor said. "This isn't going after the guns. This is going after the people (who shouldn't have them)."

Justice Review Explores Effective Policing Strategies

State policies have the potential to reduce violence and improve policing, members of an offshoot of the Criminal Sentencing Commission were told on Thursday.

Among the strategies lawmakers can implement are training and technical assistance, providing resources to address emerging problems, funding and promoting evidence-based programs and supporting officer wellness initiatives, said Robin Engel, vice president for safety and reform at the University of Cincinnati.

In a presentation to the Justice Reinvestment in Ohio 2.0, she told members attending meeting in Columbus that one of the evidence-based programs that proved to be effective in Cincinnati was the Initiative to Reduce Violence, which focused on a reduction in gun and gang violence and was later replicated in several cities across the state.

The program led to a 42% reduction in gang member-involved homicides and a 22% reduction in shootings over a 42-month period, according to Ms. Engel.

Karhlton Moore, executive director of the Office of Criminal Justice Services, said one of the efforts focused on a gang dubbed "the Taliband."

"They had basically held these people hostage for years and years and years," he said of the community in which the gang operated.

Mr. Moore added that taking on the gang improved relations between the community and police, which resulted in more tips provided by citizens.

"The biggest drawback from this strategy is sustainability," he said. "It takes a lot of people for this strategy to work."

Warren County Sheriff Larry Simms said a top-down approach is not effective in policing.

"Everybody is different," he said. "Every community is different."

Policing strategies and policies can also have unintended consequences, Ms. Engel said.

In the case of SpotShotter technology, which uses acoustic sensors to locate gunshots, she said it can lead to unnecessary dispatches to false alerts and a reduction in citizen reports of shots fired, she said. It has also not proven to be effective in reducing violence.

"So far there hasn't been a study yet that has shown a significant reduction in violence directly linked to this technology," she said.

While body-worn cameras have increased police legitimacy and accountability and improved report writing and documentation accuracy, they have also led to an increase in assaults on officers and more arrests.

"In some jurisdictions we are seeing an increase in arrests because officers feel like they have less discretion," she said.

Bellefontaine Police Chief Brandon Standley offered an example of his own. He said he's found that the more doses of Narcan it takes to revive someone who overdosed on opioids, the less likely it is for a member of the general public to believe that person should have been saved.

Policing strategies need not only to be effective, they should also be equitable and build trust within communities, Ms. Engel said.

"I do not believe we have to have a tradeoff between equity and effectiveness in policing," she said.

The presentation by Ms. Engel comes as violent crime rates have fallen by 14% from 2006 to 2016. However, over the same time, violent crimes are up in non-metropolitan areas by 27% and homicide rates increased across the state by 19%.

Nonetheless, Ms. Engel called it "good news" that crime rates have not risen correspondingly with opioid use.

State Revenue Steady In March, Keeps Stream Above Estimates For The Fiscal Year

Unlike the volatile spring weather in Ohio, state revenue stayed on an even keel in March, in the process keeping the state on track to finish Fiscal Year 2018 in the black.

The latest preliminary revenue charts, issued Thursday by the Office of Budget and Management, found sales taxes bouncing back a bit and accounting for most of the overage for the month compared to budget planning projections. The category's performance offset dips in personal income and commercial activity taxes, according to state data for the month.

Sales tax collections in March totaled $746 million, and thanks to the non-auto portion exceeding expectations by $30 million, the category overall came in about $28.9 million ahead of schedule, OBM reported.

The other bright spots were in the financial institutions tax ($14 million above estimates) and the foreign insurance tax (+13.5 million).

Those tax collections balanced out shortfalls in the CAT (-$13.7 million) and PIT (-$14.2 million), OBM figures show. The $478.8 million in PIT intake for the month was 2.9% off the mark.

Despite the strong sales tax data for March, non-auto sales continue to lag projections for the fiscal year to date by nearly $40 million, but auto sales taxes have picked up the slack, coming in almost $44 million above estimates with three months remaining in FY 2018. As such, OBM reports that the overall sales tax category is currently spot on with planning numbers for the year.

An earlier surge of PIT collections, partly attributed by analysts to the recent federal tax law changes, has that tax still ahead of estimates by $211 million for the year to date.

That overage accounts for nearly all of the cushion that tax revenues have built up over the year, as the $16.085 billion in total tax receipts is $230 million, or 1.5%, above estimates after the first nine months of FY 2018, the budget agency reported.

School Funding, Accessibility Among Themes Driving GOP Primary Contest In House District 67

A former assistant prosecutor, a Powell city member, and a state senator are jostling for the Republican nomination for the 67th House District.

The district encompasses the western half of Delaware County and is currently occupied by term-limited Rep. Andy Brenner (R-Powell).

Among the contenders is Sen. Kris Jordan (R-Ostrander), a term-limited senator who attributed his desire to remain in the Statehouse to his "continued battle to protect our rights and to restrict the growth of government."

"Government's gotten too big," Sen. Jordan said in an interview. "Under both parties, it does things that steal your freedoms and spends your money and I think individuals and families know how to spend their money better than governments do for them."

But Denise Martin, a former assistant prosecutor, and Brian Lorenz, a member of Powell City Council and a former mayor, are mounting their own efforts for the seat. Both said they'd be a collaborative and open voice for their prospective constituents.

"I really felt we needed a representative down in Columbus who was accessible to the people in Delaware County," Ms. Martin said. "We needed someone who was going to fight for what was important to Delaware. We have school funding issues in Delaware and as a state we face an opioid epidemic and no particular jurisdiction is exempt from that issue."

Added Mr. Lorenz: "I think we need leaders that are willing to listen and engage their constituents and I've got a track record of doing that. I will always listen to someone and I'll give you an answer. You may not like the answer, but being accessible and being on the forefront and exploring issues that are relative to our area and our situation are things I have been working on ever since I ran for my first office."

Ms. Martin, 46, said she's been practicing law for 18 years. In 2009, she took the assistant prosecutor position in Marion County where she primarily worked domestic violence cases.

She left in December to take a court administration position in the Domestic Relations Division of the Delaware County Court of Common Pleas. She said she'd endeavor to build on that criminal justice experience if elected to the chamber.

"My two areas I want to focus on are criminal law and the school funding issue for Delaware," Ms. Martin said. "Those are two incredibly important areas. One of my concerns is I think we've taken some discretion away from judges who are in the best position to impose sentences."

As far as school funding, she said voters in the district believe dollars haven't kept pace with the community's growth. "What I hear a lot of is: Give us fair funding," she said.

Mr. Lorenz, 45, is an urban planner by trade who also lists school funding as a priority. He has four children attending Olentangy Local Schools, and agrees the area has been hard hit by school funding caps.

"We get 29% of what we should be getting," Mr. Lorenz said. "It gets disproportional. The property values continue to increase while the amounts that we get in our district kind of go the other way. In Delaware it's the same way."

He said he also wants to bring money back to Delaware County for infrastructure improvements and, like Sen. Jordan, hopes to lead the charge on downsizing state government.

"We're putting too many politicians in positions where we should let the professionals do their thing," he said. "I'm a big advocate in a smaller government. I'm a big advocate for not expanding Medicaid. Your relationships with your doctor should be between the patient and the caregiver. Take the suits out of those decision making processes."

Sen. Jordan, 41, was first elected in 2008 to represent what was then the 2nd House District. He was the first freshman lawmaker elected to House leadership as assistant minority whip.

He successfully ran for the Senate in 2010 and again in 2014 where he represents the 19th Senate District. He currently chairs the Finance Subcommittee on General Government & Agency Review and is vice chair of the Energy & Natural Resources Committee. He also has seats on the committees of Insurance & Financial Institutions, Public Utilities and Ways & Means.

Prior to his legislative service, he spent six years as a Delaware County commissioner.

"I will be hands down the conservative in the race and I've never been outworked in any race I've ever run for," Sen. Jordan said. "Even when I'm battling some of the political bosses...I've always been successful because I take my message directly to the people."

He cited his role in helping eliminate the estate tax in a prior state budget (HB153, 129th General Assembly) as his greatest legislative achievement. He's also played a large role in efforts to eliminate boards and commissions deemed unnecessary.

"Every budget we've created more boards and commissions so when we're constantly creating them I think there's an even more urgent need to sunset and eliminate a number of these," he said.

Ms. Martin said she's counting on her background to set herself apart in the eyes of voters - particularly in the realm of criminal justice. She also holds the endorsement of the Delaware County Republican Party.

"As a former prosecutor, as a woman, as a mother, I think I'm going to bring a unique perspective to the Statehouse," she said. "I learned how to advocate, how to listen. I'm going to be accountable to the citizens of the district."

As for Mr. Lorenz, the candidate said he's not aligned with any of the "party bosses" in Columbus.

"I've got a great deal of experience," he said. "People just want to make sure their voices are being heard. I'm the candidate that does that."

Mr. Lorenz is a former CrossFit level one trainer and former gym owner. He volunteers as a swim official and used to coach youth football. He and his wife, Sue, have a 15-year-old son and triplet daughters who are age 12.

Ms. Martin has two daughters, the youngest of whom is graduating high school this year. She describes herself as an avid reader with a penchant for World War II-era nonfiction.

Sen. Jordan, meanwhile, described himself jokingly as a "pretty boring guy" who enjoys gardening and Ohio State University football. He has three daughters, ages 4, 3 and 1.

The Republican victor will likely face Democrat Cory Hoffman come November in the heavily right-leaning district.

Subscribers Note: *This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's Election Page for more information on 2018 contests, including our Key Races.*

Super PAC Launches Pro-Balderson Ad Campaign; NARAL Pro-Choice Backs Cordray; Rand Paul Endorses Taylor

A Super PAC is on the air with an ad supporting Sen. Troy Balderson (R-Zanesville) in the race to replace former U.S. Rep. Pat Tiberi.

The 30-second ad, "Getting It Done," is accompanied by a six figure buy, the group announced in releasing the spot.

"If you want something done, call Troy Balderson. A conservative champion, Troy Balderson's bold leadership helped eliminate Ohio's staggering deficit," the narrator says in the spot. "As state senator Troy Balderson voted to cut taxes by $5 billion. The result: more money for the middle class."

Defending Main Street President and CEO Sarah Chamberlain in a statement called Sen. Balderson "a man of action and his conservative record shows he is the right choice for Ohio families."

"Voters today want results, not rhetoric, and Balderson has proven he's the man for the job," she said.

Cordray Endorsement: The gubernatorial campaign of Rich Cordray on Thursday scored the endorsement of NARAL Pro-Choice Ohio.

Executive Director Kellie Copeland in a statement called the contest "the most consequential election for reproductive rights in Ohio since *Roe v. Wade* made abortion legal 35 years ago."

"Cordray and Sutton have time and again fought for abortion rights because they trust women to make their own reproductive health care decisions," she said.

Ms. Copeland acknowledged that Sen. Joe Schiavoni (D-Boardman) and Dennis Kucinich in the past received backing from the group and thanked them for their ongoing support for abortion rights.

"Mike DeWine, Bill O'Neill, and Mary Taylor, other candidates for governor, all oppose the right to choose and if elected would pose a serious threat to the reproductive health care of all Ohioans," she said.

Taylor Endorsement: U.S. Sen. Rand Paul (R-Ky.) also weighed in on the gubernatorial race Thursday.

In endorsing Lt. Gov. Taylor, he called her "a constitutional conservative who will protect the rights and liberties of all Ohioans."

"She is unwavering in her principles and is unafraid of challenging establishment politicians beholden to special interests," he said. "Mary and her running mate Nathan Estruth will be the conservative champions and reformers that Ohioans can trust. As Governor of Ohio she will shut down sanctuary cities, end Medicaid expansion, reduce government regulations, end Common Core to restore local control over education, and join me and other Senate conservatives and House Freedom Caucus members in pushing back against over-reach of the federal government."

Agency Briefs: ODOT Plans Busy Construction, Maintenance Season; IG; BWC; SOS

The Department of Transportation expects to spend $2.35 billion on nearly 1,000 projects during this year's construction season, including efforts to maintain existing roads and bridges.

The department and its contractors plan to repair or replace 5,645 miles of pavement and work on 1,040 bridges, ODOT reported.

"Roads and bridges don't get better over time. That's why 90 cents of every dollar we're investing this year is to take care of what we have," ODOT Director Jerry Wray said in a statement. "We're using better data and more frequent maintenance to address the small issues with our infrastructure before they become big issues."

The agency said is responsible for maintaining more than 43,000 lane miles of roadway and more than 14,000 bridges.

"Our transportation network is Ohio's most valuable man-made asset," Director Wray said. "It gives us the ability to move goods to market, get to work, take our children to school, visit an amusement park or explore the beautiful natural wonders of Ohio."

Inspector General: Randall Meyer reported that an investigation of an ODOT employee found he was running a business selling nutritional supplements during the workday.

Brett Shearer, a transportation technician 3, was found to be selling AdvoCare products during the work day, and a review of his state email account found more than 100 emails related to his secondary employment, according to the report.

Investigators found reasonable cause to believe Mr. Shearer violated ODOT policies requiring employees to report secondary employment and for engaging in activities for personal profit during work hours.

The report was forwarded to the Franklin County Prosecuting Attorney and Columbus City Attorney for consideration.

Workers' Compensation: The BWC announced the hiring of Carolina Thatcher as its first director of inclusion and diversity. She held a similar role with the Department of Job and Family Services.

"Like the rest of society, our employers and injured workers are diverse, and if we are to truly serve our customers well, we must appreciate and understand the particular needs and challenges they bring to their experience with us," BWC Administrator/CEO Sarah Morrison said in a statement. "Given Carolina's track record, I'm confident she will help us succeed in doing that."

At ODJFS, her work included curriculum development, training and serving on multi-agency inclusion and diversity committees.

Secretary of State: Jon Husted reminded voters that April 9 is the deadline to register to vote for the May 8 primary election.

The ballot includes a statewide ballot issue, state and local races and a total of 477 local issues in 83 of Ohio's 88 counties.

Supplemental Agency Calendar

Monday, April 9

State Board of Education, 25 S. Front St., Columbus, 8:30 a.m.

Board of Building Appeals, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 12:30 p.m.

Tuesday, April 10

Board of Building Appeals, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 8:30 a.m.

State Board of Education, 25 S. Front St., Columbus, 8:30 a.m.

Wednesday, April 11

Veterinary Medical Licensing Board, Rm. 1914, 77 S. High St., Columbus, 8:30 a.m.

Real Estate Commission, 22nd Fl., 77 S. High St., Columbus, 9 a.m.

Thursday, April 12

Board of Building Standards, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 10 a.m. (The 10 a.m. Certification and Education Committee meeting will be followed at 1 p.m. by the Code Committee meeting)

Friday, April 13

Board of Building Standards, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 10 a.m.

Supplemental Event Planner

Wednesday, April 18

Ohio House Republican Organizing Committee fundraiser, Buckeye Bourbon House, 36 E. Gay St., Columbus, 5 p.m., ($5,000, $2,500, $1,000 or $500 to OHROC)

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Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

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Daily Activity Planner for Friday, April 6

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Board of Building Standards, BBS Library, 6606 Tussing Rd., Reynoldsburg, 10 a.m. (Electrical Safety Inspector Advisory Committee)

Event Planner

No events scheduled.

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House Activity for Thursday, April 5, 2018

INTRODUCED

HB 581 **LICENSE PLATE** (Miller, A., Boggs, K.) To create the "West High School Alumni Association" license plate and the "Central High School Alumni Association" license plate. Am. 4501.21 and to enact sections 4503.703 and 4503.704

HB 582 **ROAD NAMING** (Green, D.) To designate the portion of U.S. Route 52 in Clermont County the "Clermont County Vietnam Veterans Memorial Highway" and the portion of U.S. Route 52 in Brown County the "Brown County Vietnam Veterans Memorial Highway." Am. 5534.805 and 5534.806

HB 583 **OCCUPATIONAL LICENSING** (Henne, M.) To limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. Am. 101.721, 101.921, 109.57, 109.572, 109.77, 119.12, 121.22, 121.621, 169.16, 169.17, 173.381, 173.391, 306.352, 311.04, 503.44, 503.46, 505.49, 509.01, 511.232, 715.27, 737.052, 737.162, 903.05, 905.503, 907.111, 917.06, 921.23, 926.05, 935.06, 943.03, 943.031, 943.05, 943.09, 956.03, 956.15, 1119.05, 1119.08, 1315.04, 1315.081, 1315.101, 1315.151, 1315.23, 1315.30, 1321.04, 1321.05, 1321.37, 1321.522, 1321.53, 1321.532, 1321.537, 1321.54, 1321.59, 1321.64, 1321.70, 1322.022, 1322.023, 1322.04, 1322.041, 1322.042, 1322.07, 1322.074, 1322.10, 1501.013, 1501.25, 1514.99, 1531.132, 1533.342, 1533.631, 1533.632, 1533.641, 1545.13, 1546.16, 1561.12, 1561.23, 1571.012, 1702.80, 1713.50, 1716.05, 1716.07, 1751.05, 2903.37, 2915.081, 2915.082, 2919.123, 2919.17, 2919.171, 2919.18, 2919.201, 2919.202, 2919.203, 2923.17, 2925.38, 2929.42, 2929.43, 2953.25, 2961.03, 2961.23, 3302.151, 3304.31, 3310.43, 3314.101, 3314.40, 3319.088, 3319.225, 3319.292, 3319.30, 3319.31, 3319.311, 3319.313, 3319.39, 3319.40, 3319.52, 3326.081, 3326.24, 3327.10, 3328.18, 3328.19, 3332.05, 3332.09, 3332.11, 3332.12, 3345.04, 3710.06, 3719.121, 3721.07, 3734.02, 3734.42, 3734.44, 3734.83, 3735.311, 3743.03, 3743.04, 3743.16, 3743.17, 3743.70, 3743.99, 3770.05, 3770.073, 3772.04, 3772.07, 3772.10, 3772.16, 3772.99, 3773.42, 3773.53, 3781.102, 3783.03, 3796.03, 3796.04, 3796.09, 3796.10, 3796.13, 3905.06,

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HB 584 **TAX DEDUCTION** (Cera, J., Rogers, J.) To extend an existing income tax deduction for unsubsidized medical insurance premiums to Medicare premiums. Am. 5747.01

HB 585 **FIREARM LAWS** (Henne, M.) To expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of

an automatic firearm to include any device within the federal definition of machine gun; to create additional conditions under which an individual may not possess a firearm or dangerous ordnance and to eliminate the process by which an individual may apply for relief from a weapons disability; to generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; to provide for the entry of protection orders into the federal NCIC database and LEADS; and to provide for the issuance by a court of an extreme risk protection order. Am. 2151.34, 2903.213, 2903.214, 2919.26, 2923.11, 2923.13, 2923.18, 2923.20, 2923.23, 3113.31, and 3113.99, to enact sections 3113.26, 3113.27, 3113.28, 3113.29, and 3113.30, and to repeal section 2923.14
Gongwer Coverage

SIGNED BY THE GOVERNOR

HB 1 (Enacted) **DATING PROTECTION ORDERS** (Sykes, E., Manning, N.) To authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order. Signed: April 5, 2018; Effective: In 90 days

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Sent: Friday, April 20, 2018 6:19 PM
To: Adams, Alexandra
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OHIO REPORT
FRIDAY, APRIL 20

Energy Standards Bill Timeline Unclear As Another Wind Setback Proposal Is Introduced

State Unemployment Drops To Lowest Level In More Than 16 Years

Senator Backing Medical Marijuana Audit Bill Supports Review By Commerce Department

High Court To Hear Traffic Camera Case

Candidates Stress Experience In House District 26 Primary

OPA: Pharmacists Can Serve As Educators In Opioid Struggle

Medical Pot Program Halt Rejected; Complaint Against DeWine Dismissed; No New Trial For Beck; Buckeye Institute Weighs In On Case...

Issue 1 Backers Tout Endorsements; Cordray Takes Credit For Wells Fargo Fine; Yuko Calls For Action On Guns...

Sheehy Calls For Further Action On Ag Runoff; OEC Proposes Toxic Chemical Protections

Ohio Lands $26 Million In Federal Opioid Funding; Senators Applaud Disaster Request Approval...

Chamber Of Commerce Endorses Issue 1; P&G, Key, More Report Financial Results; Toledo Businesswoman Added To SBAC

Governor's Appointments

Supplemental Agency Calendar

CALENDARS

Day Planner

Event Planner

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Daily Activity Planner for Saturday, April 21-Monday, April 23

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Monday, April 23

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.
Human Trafficking Commission, 18th Fl., 150 E. Gay St., Columbus, 2 p.m.

Event Planner

Saturday, April 21

YMCA Youth & Government High School State Assembly 2, Statehouse, Columbus

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Volume #87, Report #77 -- Friday, April 20, 2018

Energy Standards Bill Timeline Unclear As Another Wind Setback Proposal Is Introduced

Senate President Larry Obhof this week referred to ongoing talks over the state's energy standards and wind turbine setback revisions as "a long-term project."

The remark lends further uncertainty to the timeline in which Senate Republicans hope to roll out a substitute bill on a measure (HB 114) that in its current form waters down the state's renewable and energy efficiency benchmarks.

Earlier this month, Sen. Obhof had predicted a sub bill could be ready "in the next few weeks." (See Gongwer Ohio Report, April 6, 2018)

But asked this week about the Senate's priorities in the coming weeks, Sen. Obhof (R-Medina) said: "We've talked a number of times about energy, and particularly 114 probably now is a long-term project."

Sen. Obhof had previously labeled the measure a priority for the first part of the year but the timeline has been pushed back at every juncture as lawmakers grappled with a congressional redistricting ballot issue (SJR 5), the capital budget (HB 529) and other pressing proposals.

Sen. Bill Beagle (R-Tipp City) and Sen. Troy Balderson (R-Zanesville) are spearheading talks on that sub bill but have said the timeline and the extent of the changes to the legislation remain unclear. The caucus has yet to reach a consensus on the plan the senators presented behind closed doors last month. (See Gongwer Ohio Report, March 23, 2018)

Changes to loosen the state's setbacks for wind turbines are expected to be a component of the sub bill and advocates have continued pressing lawmakers in recent weeks to walk back restrictions put in place in a 2014. (See Gongwer Ohio Report, April 12, 2018)

Rep. Fred Strahorn (D-Dayton) on Tuesday introduced his own standalone measure to reduce setbacks (HB 604). His plan joins several other legislative efforts to accomplish that feat, including proposals from Sen. Matt Dolan (SB 238) and Sen. Michael Skindell (SB 184).

The minority leader's proposal would require turbines to be no closer than 1,125 feet from the tip of a turbine to the exterior of the nearest habitable residential structure. Current law, in contrast, measures the distance from the structure's property line.

The measure would also make permanent tax exemptions for tangible personal property of a qualified energy project using renewable energy resources under certain conditions.

Trish Demeter, the Ohio Environmental Council's vice president of energy policy, welcomed the latest attempt.

"I applaud Leader Fred Strahorn for proposing HB604 - a bill which if passed, would pave the way for full scale wind development in Ohio," Ms. Demeter said.

"For too long, Ohioans have missed out on trends towards wind energy due to unnecessarily large setbacks from property lines. Fixing the wind setback issue is critical for further development of wind energy across the state, and bringing Ohio up to speed in the growing clean energy economy."

State Unemployment Drops To Lowest Level In More Than 16 Years

Ohio's unemployment rate dropped a notch to 4.4% in March, maintaining a positive trend of recent months and reflecting the best report since August 2001, according to the Department of Job and Family Services.

The March rate was a drop from 4.5% in February 2018, the agency reported. Total employment increased 10,800 over the month to 5,579,200, and the number of unemployed was down 9,000 to 253,000.

The unemployment total has dropped by 40,000 since March 2017, when the rate was 5.1%, and the state has seen an increased of 54,400 jobs during that period, according to state data compiled in conjunction with the federal Bureau of Labor Statistics.

"Another strong jobs report out today," Gov. John Kasich stated on his Twitter account. His statement was accompanied by a GIF of actor Chuck Norris giving a thumps-up.

"Since 2011, Ohioans have created 501,000 new private sector jobs, and unemployment is the best it's been since 2001," Mr. Kasich said. "We've come a long way since 2010. Let's keep it going, Ohio!"

Senate President Larry Obhof (R-Medina) said the number of new private jobs reflected an important milestone for the state. The positive news shows the GOP-run legislature's policies are working, he said.

"We work diligently to not only create an environment of possibilities for Ohio's job creators but also to ensure Ohioans from all backgrounds are prepared to take advantage of those opportunities," Sen. Obhof said in a release.

"We've done this through creating a jobs-friendly business environment, developing a jobs-ready workforce and empowering Ohio's small businesses, the backbone of our economy. While this is an important milestone that shows Ohio's policies are working, we have much more to do, and we will continue to build on this progress."

Despite the recent gains, Ohio still lags the nation, as the U.S. unemployment rate for March was 4.1%. That figure was unchanged from February and down from 4.5% in March 2017.

During a month when most sectors saw job gains, the best performers were the private service-providing sector, which added 5,700 positions, as well as trade, transportation, and utilities (+3,400). ODJFS noted the most significant losses in information (-700) and other services (-500).

Agency spokesman Bret Crow said eight industries or sub-sectors experienced record-high employment levels. They are: transportation, warehousing and utilities; finance and insurance; educational and health services; educational services; health care and social assistance; leisure and hospitality; accommodation and food services; and state government.

The March gains in the construction industry, which was up 1,200 jobs, represented the third consecutive month of steady job growth in the sector, which has gained 5,700 jobs over the last year, Mr. Crow said.

In addition, the state versus federal comparison on job growth favored Ohio, as the state added jobs at a rate that was more than double the national rate, or 0.19% versus 0.07%, he said. And the average weekly earnings for Ohioans is up $3.14 compared to last month and $28.45 compared to last year, both outperforming the national rate.

"It's an across-the-board positive report with lower unemployment and new job growth that doubled the nation's," Mr. Crow said.

Andrew J. Kidd, senior economist with the Economic Research Center at The Buckeye Institute, said the latest jobs report shows "Ohio's job market is allowing individuals who desire jobs to get jobs."

"However, Ohio has yet to reach the national unemployment rate of 4.1%, he added. "This, as well as a labor force participation rate lower than the national average, shows that Ohio still has work to do. The right reforms, such as closing tax loopholes and removing unnecessary barriers to employment through occupational licensing, would create opportunities for sustained job growth."

"Ohio in 2018 has experienced positive job growth. Yet, another month of an unchanged labor force participation rate once again implies that some individuals are still not searching for jobs," Mr. Kidd added.

Hannah Halbert, researcher with Policy Matters Ohio, said the state has gained more jobs in the first three months of 2018 than in all of 2017.

"While labor force participation suggests there is still room for improvement, Ohio's labor market is finally tightening," she said. "Even so, many jobs pay too little and offer too-few hours, making it nearly impossible to afford basics like food and health care without

public support. Raising the minimum wage, restoring the 40-hour work week, and supporting paid leave would make the most of this tighter labor market and help rebuild a path to the middle class."

Ms. Halbert said Ohio continues to underperform the nation's 12-month rate for job growth and has "vastly underperformed" the rest of the U.S. since the 2005 tax overhaul was enacted.

"Ohio is not out of the woods. A bad month or two could erase this streak and more months of solid growth are needed to take up the remaining slack in our labor market," she said.

Senator Backing Medical Marijuana Audit Bill Supports Review By Commerce Department

A senator who sponsored legislation to require an audit of the medical marijuana licensing process said he's supportive of efforts by the Department of Commerce to perform its own review.

Sen. Bill Coley (R-Liberty Twp.) introduced a proposal (SB 264) in February to require a state auditor investigation of DOC's awarding of provisional licenses for medical marijuana growers, including a set timeframe for the review and the awarding of certificates of operation.

It was intended to remove any clouds of suspicion or impropriety from the licensing process, the sponsor said. (See Gongwer Ohio Report, February 22, 2018)

That measure had its first hearing this week in the Senate Health, Human Services & Medicaid Committee. (See Gongwer Ohio Report, April 17, 2018)

Since February, DOC and other agencies involved in the medical marijuana program have worked to tamp down expectations for the initiative's Sept. 8 go-live date, saying it's unlikely all license recipients will be operational by then. (See Gongwer Ohio Report, April 5, 2018)

The agency worked with an attorney general-appointed special counsel to hire a third-party auditor to review the scoring and find possible improvements. The department reported Friday that Ernst & Young was retained for the work, which does not have a set deadline for completion but is expected to take "a matter of weeks" to finish.

Sen. Coley complimented the department on that effort and said the goal of his legislation is simply to ensure the state has a fair process.

"You could easily argue that they're already doing those things," he said in an interview. "I want to make sure it gets done and it gets followed through."

He encouraged the department to work with the auditor's office to ensure the process is thoroughly reviewed.

"I support Commerce going through and looking at the whole thing, re-scoring if necessary and awarding additional licenses if warranted," he said. "I think that's all a good thing and it would be for the benefit of all patients and the state of Ohio."

Sen. Coley said he's confident the department will correct any issues.

"I think they realize that some mistakes were made and they want to correct them," he said.

DOC will go before the Controlling Board Monday to request more than $5 million for staffing, legal costs and other expenses for the medical marijuana program. (See Gongwer Ohio Report, April 16, 2018)

High Court To Hear Traffic Camera Case

The battle over automated traffic cameras will continue next week with the latest front being the Ohio Supreme Court.

The city of Toledo and the state are at odds over a previous budget (HB64, 131st General Assembly) provision that allows the state to reduce Local Government Fund distributions for non-compliance with traffic camera restrictions (SB342, 130th General Assembly), some of which were struck down by the high court. (See Gongwer Ohio Report, July 26, 2017)

Ten days prior to the traffic camera restrictions becoming law, the city asked for and received an injunction from the Lucas County Common Pleas Court, the high court reported.

Lawmakers then passed the biennial budget containing the LGF reduction provisions. The city again asked for and received an injunction from the trial court, which found the state would be in contempt if it withheld funding from cities based on non-compliance with a law found to be unconstitutional.

The Sixth District Court of Appeals upheld the ruling, leading to the state appeal to the high court, where it argues the budget provision is a reporting requirement and a formula for discretionary spending. (Docket)

"Toledo has no 'home rule' right to receive money from the General Assembly," the state writes in a brief. "It is not 'losing' money that it has, but rather choosing to give up money in order to run its traffic-camera program as it sees fit."

The state also contends that the city should have been required to file a separate lawsuit in the matter and that the injunction is a violation of separation of powers.

"The Sixth District's holding invades the legislative power and exceeds the judicial power because courts do not have roving license to enjoin legislation," the state argues. "Courts must instead draw the power to block legislation from specific constitutional prohibitions."

The city, however, claims that lawmakers are seeking to coerce compliance with unconstitutional laws.

It also argues that the state is the guilty party when it comes to the violation of separation of powers.

"If the General Assembly could simply ignore the judicial branch any time legislation is struck by withholding funds to those entities that do not comply with the unconstitutional legislative acts, then there is no separation of powers because the legislature would reign supreme," the city writes in its brief.

"This type of legislation is not a 'new' law that merits a separate lawsuit and separate constitutional analysis, but moreover an affront to the authority of the judiciary. The Penalty Provisions try to avoid judicial control by reenacting unconstitutional laws."

The case is slated for oral arguments as another measure (HB 410[redacted]) authored by the primary sponsor of the 2014 law works its way through the General Assembly.

Rep. Bill Seitz's (R-Cincinnati) legislation would eliminate the use of administrative hearings when a civil citation is issued for a traffic violation recorded by a photo-monitoring device and require local governments that use traffic-monitoring devices to annually file a report with the tax commissioner detailing how much revenue is generated from their use which will then be subtracted from the LGF distribution.

The court will hear three other cases next week:

- In *State v. Dunson*, a Montgomery County man convicted of murder and aggravated robbery will ask the justices to set aside $6,199 in court costs.

- The court in *East Manufacturing v. Testa* will determine if a Portage County company is eligible for a use tax exemption for the purchase of natural gas it uses to heat six buildings where aluminum truck trailers are constructed.

- A bank will argue that despite federal rules requiring a face-to-face meeting with a borrower after three missed mortgage payments prior to proceeding with a foreclosure it should be allowed to move forward because the meeting occurred during court-ordered mediation after the second attempt to foreclose in the case of *Wells Fargo Bank v. Burd.*

Candidates Stress Experience In House District 26 Primary

A Columbus City School Board member and a law clerk with a background in youth advocacy each say their breadth of experience make them the ideal candidates for the 26th House District.

The Democrat-leaning district is currently represented by Rep. Hearcel Craig (D-Columbus), whose bid for the Senate is opening the path for a new face. Michael Cole, 45, and Erica Crawley, 37, are both working to secure the Democratic nomination, after which the victor will likely face Republican Shareeque Sadiq in November.

Mr. Cole said he has a track record of "having gotten things done in the most tough circumstances" thanks to his two terms on the school board.

"It's one thing when the whole deck's lined up for you and you're accomplishing some things of the work and will of people," he said. "It's another to have every kind of almost insurmountable obstacle against you whether it's state, federal, local discontent for something and still move the needle of achievement."

Ms. Crawley, while touting her own experience, credits her desire to enter public office to her great aunt who in 2007, shortly before her death, asked her during a conversation on political leaders, "Why not you?"

"She was never elected, never interested in politics per se, but she gave her time," Ms. Crawley said. "She spent a lot of time with the church, with homeless families. She never met an enemy. People loved my aunt and she loved people. I would hope she would be proud of me if I could be half the woman she was and make the impact she made."

Mr. Cole is originally from Cleveland but first came to Columbus as a student at Ohio State University. "This city kind of had me at hello," he said.

He picked up a master's degree in communication at Seton Hall University and then chose to return to Columbus where he sought out service opportunities including a five-year stint as area commissioner in Westgate.

"The opportunity and potential that this city offers I think is tremendous," Mr. Cole said. "I think it was almost a spiritual calling to end up in this city."

He said he worked on neighborhood safety and beautification issues, before segueing into politics and hosting a public affairs radio show. He was first elected to the school board in 2013 and reelected last year. He's currently vice president of the board, which is dominated by Democrats.

"I came with the mindset of working to ensure and strengthen accountability, curriculum, transparency and safety in the district," Mr. Cole said. "I'm committed to bringing that same mindset to the Statehouse."

Even though it contains solely Democrats, he said, the school board has taught him valuable lessons.

"Even if everyone's on the same page from the politics standpoint everyone brings different points of view, skills, knowledge and attitude," Mr. Cole said. "Working among a body politic making decisions and brokering decisions...on matters that effect people is something I've tremendously learned from this experience."

Ms. Crawley is also a transplant, hailing originally from Youngstown. She spent 2000-2003 serving in the United States Navy in Virginia. After giving birth to twin girls - Hope and Faith, who are now 13 - she moved to Cleveland where she finished her college degree in criminology with a focus on juvenile delinquency.

Next was a stint in Atlanta where she received her masters and had an array of jobs centered on supporting youth including work for the Black Child Development Institute and the Court Appointed Special Advocate program.

She returned to Columbus where she attended Capital University Law School, graduating in 2017 with a concentration in civil litigation. Following that, she clerked for Honda North America and since 2016 has clerked for Eastman and Smith's Columbus office.

Both candidates list education as a central plank of their platforms. For Ms. Crawley that means ensuring equal access to quality education.

"I am an advocate for universal Pre-K," she said. "But also making sure all of our children have the same opportunities. Addressing school funding and school resources definitely plays a part."

She said she also wants to expand trade school options for young students and to focus on economic development.

"Especially in the 26th District there is disinvestment and underinvestment in that community," she said. "I would love to focus on micro-business and small businesses and making sure my neighbors have access to those resources."

She added she'd press for equal access in other areas, such as healthcare, including addiction and mental health support services.

"With that, making sure our aging population has the services they need," Ms. Crawley added. "There are a lot of grandparents taking care of their grandchildren and they don't have the resources necessary to do that effectively."

On the education front, Mr. Cole said he wants to restore consistency, including possibly by requiring five-year curriculum plans. He likened his experience on the board to being Harry Houdini locked in a box with the key inside as he's thrown over Niagara Falls.

"I find out a lot of what confines public schools period...is they are all boxed in by state laws that don't take consideration to how certain things affect us," he said. "From funding to property taxes to education and curriculum and how important it is to make sure it's steady, consistent."

In other areas, Mr. Cole said he wants to alleviate property tax burdens and create more opportunities for mixed income housing.

"I think there are any number of ways we can look at funding public education that doesn't solely fall on the backs of property owners, particularly in poor communities," he said. "I think we can do some income tax sharing. ... I think there are some win-wins. We just have to turn over some stones."

Ms. Crawley said she's the candidate voters should turn to if they seek experience thanks to a career and life experience span the spectrum from nonprofit to for-profit, military and civilian.

"I've had a commitment to being of service to others," she said. "If you look at my career either professionally or in volunteerism...I have always had a commitment to making a different in the communities in which I lived and making a difference especially for individuals who come from poverty or low-income families."

Mr. Cole and his wife Lee have three children, ages 21, 15 and 14. He is a substitute social studies teacher who enjoys motorcycles and muscle cars.

In addition to spending time with her daughters, Ms. Crawley said she collects books, particularly of the professional development variety or autobiographies.

Subscribers Note: *This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's Election Page for more information on 2018 contests, including our Key Races.*

OPA: Pharmacists Can Serve As Educators In Opioid Struggle

From asking customers to question potentially counterfeit pills to teaching them how to dissolve old medication in cat litter or coffee grounds, Ohio's pharmacists have a key role in fighting the state's opioid epidemic.

That was the message from officials with the Ohio Pharmacists Association to the nearly 1,000 pharmacists and students who attended the group's 140th annual conference and trade show Friday at the Greater Columbus Convention Center.

Ernie Boyd, executive director of the OPA, said pharmacists and the public need to "keep the pressure on" to get patients to request other medications and medical professionals to write fewer prescriptions for opioids.

Mr. Boyd said over-the-counter drugs can be a fine alternative to prescription opiates. He said he thinks it was a "major mistake" to allow ibuprofen and other anti-inflammatory or pain-relief medication to be sold without a prescription.

"In the public's mind, (ibuprofen) is as innocuous as cheese or rutabaga because it's sold next to those products," he said. "I think that's insane. These are very potent drugs."

The public tends to believe prescription drugs inherently are more effective and over-the-counter drugs safer, Mr. Boyd said, adding that's not always the case.

The convention included a demonstration of multiple ways people can dispose of old or unneeded medication, from using specialty kits to mixing it with water and coffee grounds or cat litter to make it unpalatable to animals and children. Mr. Boyd said pharmacists can explain the importance and methods of disposal and serve on local drug task forces to assist in the opiate fight.

The group also advised pharmacists to explain the importance of avoiding medication from potentially dubious sources, whether it be an acquaintance or an online retailer.

"The large majority of internet sites are (fraudulent)," Mr. Boyd said. "Ninety-eight percent of the online pharmacies are not pharmacies at all. They're fake."

He said counterfeit pills may look virtually indistinguishable from pills produced by the actual manufacturer and could include powerful opioids such as fentanyl and carfentanil. The consequences of consuming the bootleg drugs range from addiction to death.

Dr. Michael Ybarra, deputy vice president of advocacy and strategic alliances at PhRMA, said the public needs to get medicine from a trustworthy source. He said buying from "rogue online pharmacies" can be a dangerous move.

"The safest thing to do is to buy at a pharmacy," he said. "The U.S. distribution system is totally closed (with) FDA inspected facilities."

Mr. Boyd said there are some legitimate online pharmacy sites, which typically feature the National Association of Boards of Pharmacy's Verified Internet Pharmacy Practice Sites logo and have a pharmacy domain names.

The most important advice for members of the public, Mr. Boyd said, might simply be to stop using medication that was not prescribed to them.

"You just don't share any of the stuff, period," he said."

Medical Pot Program Halt Rejected; Complaint Against DeWine Dismissed; No New Trial For Beck; Buckeye Institute Weighs In On Case...

A Franklin County judge on Friday declined to put the state's medical marijuana program on hold.

Instead, Franklin County Common Pleas Court Judge Richard Frye will consider the matter again at a May 11 hearing.

"We're pleased that there's been a decision not to pause the program," said Thomas Rosenberger, a spokesman for the National Cannabis Industry Association of Ohio.

The Friday hearing was a result of a lawsuit filed by Ohio Releaf LLC, which was denied a cultivator's license and subsequently sued the Department of Commerce for what it alleges is a failure to comply with public record laws and to hold a timely administrative appeal hearing.

DOC has hired an independent auditor to review its processes. (*See separate story*)

Dismissed Complaint: A three-judge panel has dismissed one of four counts of allegedly violating canons of the Ohio Judicial Code of Conduct filed against Ohio Supreme Court Justice Patrick DeWine.

The count alleges that Justice DeWine asked Hamilton County Prosecutor Joe Deters, who had 48 cases pending before the court at the time the complaint was filed, to hire his son for an internship.

The remaining allegations involve Justice DeWine's father, Attorney General Mike DeWine. The complaint alleges Justice DeWine improperly failed to recuse himself from cases in which AG DeWine is named as a party and that he appears on his father's gubernatorial campaign web site.

Justice DeWine has denied all of the alleged charges.

New Trial: The nation's highest court has declined to order a new trial for a former state lawmaker.

The U.S. Supreme Court declined to grant the request of former Rep. Peter Beck for a new trial. The decision was issued without comment.

Mr. Beck in 2015 was found guilty of 13 charges and sentenced to serve four years in prison. However, a state appellate court in 2016 overturned 10 charges and Mr. Beck served just 16 months in prison.

Amicus Brief: The Buckeye Institute has filed an amicus brief with the Sixth Circuit Court of Appeals asking it to strike down a Tennessee law it says discriminates against outdoor advertisements and signs with ideological messages.

The group said the law, which is designed to be in compliance with the Highway Beautification Act of 1965, is a violation of the First Amendment.

"While we all enjoy a scenic drive and beautiful roadways, the First Amendment is even more precious to Americans and its protections must not be violated in the name of highway beautification," President and CEO Robert Alt said in a statement. "Restricting the placement of outdoor advertisements solely based on the sign's message is a clear infringement of free speech and must be overturned."

Crew Dispute: Major League Soccer and the Precourt Sport Ventures, owner of the Columbus Crew, have asked the Franklin County Court of Common Pleas to dismiss a lawsuit designed to prevent the team from moving to Texas.

In a motion to dismiss, the groups call the Art Modell law "blatantly unconstitutional."

"The statute violates the dormant Commerce Clause of the United States Constitution because it both discriminates against out-of-state residents and impermissibly interferes with the defendants" abilities to conduct their business in interstate commerce," the filing reads.

The law requires the owner of an Ohio professional sports team that plans to cease playing most of its home games in the state to provide six months' notice in order to give others an opportunity to purchase the franchise

Disciplinary Cases: The Board of Professional Conduct on Friday announced that is has filed 10 disciplinary case reports with the high court.

Issue 1 Backers Tout Endorsements; Cordray Takes Credit For Wells Fargo Fine; Yuko Calls For Action On Guns...

The bipartisan Coalition for Redistricting Reform, the group backing Issue 1, on Friday announced a slew of endorsements for the ballot measure.

The endorsements include the Ohio AFL-CIO, the Ohio Chamber of Commerce, the Ohio Council of Churches, the Ohio Education Association, the Ohio Environmental Council, the Ohio Farm Bureau and the NAACP Ohio Chapter.

Campaign advisor Keary McCarthy in a statement said the endorsements "truly signal the bipartisan nature of fixing the way we draw our congressional districts in Ohio."

"Our state lawmakers stepped up to make this bipartisan fix to a very partisan problem a reality, and I'm thrilled to see these powerful groups across Ohio come aboard," he added.

Wells Fargo: Richard Cordray on Friday weighed in on the news that the Consumer Financial Protection Bureau fined Wells Fargo $1 billion.

The bureau's former director in a statement sought to downplay the role that acting Director Mick Mulvaney played in issuing the fine.

"Mulvaney has brought no new enforcement actions since he has been at the CFPB," he said. "Investigations that take many months or even years, and that are just now being finalized, are due to the aggressive work my team did to bring predatory behavior to light. To suggest this is the work of Mulvaney, who has done nothing but throw sticks in the spokes of a talented, hard-working CFPB team of devoted public servants is preposterous."

Gun Legislation: Senate Minority Leader Kenny Yuko (D-Richmond Hts.) used the anniversary of the Columbine school shooting to call for legislation to reduce gun violence.

Sen. Yuko in a statement commended students who on Friday walked out of school to mark the 19th anniversary of the school shooting.

"Our young people have sent us a clear message: we need to act now to protect them. The Senate Democratic Caucus has introduced numerous common-sense proposals to address gun violence and help keep our kids safe. Many of these bills have yet to receive a hearing," he said.

"As a leader in the Ohio Senate, I know we have to do more to stop violence in our schools. Schools should be places where children worry about upcoming math tests, and not about active shooters."

Gun Rally: Three gun rights groups on Saturday will hold a "Patriot Day Rally" at the Statehouse.

The 11 a.m. event hosted by Ohioans for Concealed Carry, Ohio Carry and the Buckeye Firearms Association will feature historical information on the role of private gun ownership in the country's founding and immigrants who will talk about their experiences before and after coming to America, according to a release.

NFIB Endorsement: Rep. Larry Householder (R-Glenford), a speaker hopeful, has the backing of National Federation of Independent Business/Ohio in his reelection bid, the group announced Friday.

Roger Geiger in a statement said Rep. Householder "understands the issues important to Ohio entrepreneurs as demonstrated by his strong voting record with NFIB."

Sheehy Calls For Further Action On Ag Runoff; OEC Proposes Toxic Chemical Protections

Rep. Michael Sheehy (D-Oregon) criticized state leaders this week after a recent report showed more work is needed to curb the runoff of phosphorus and other nutrients into Ohio's waterways.

His remarks were centered on the Ohio Environmental Protection Agency's Nutrient Mass Balance Study. The report found "no clear decrease" in nutrient loading, especially from nonpoint sources like agricultural runoff. (See Gongwer Ohio Report, April 17, 2018)

Rep. Sheehy in a statement singled out farmers for their role in contributing to runoff that can fuel harmful algal blooms in Lake Erie.

"This new report shows that despite years of deceptive talking points from powerful industry representatives in Columbus, we know where all this excess phosphorus pollution has been coming from," Rep. Sheehy said.

"It's not complicated: if you are causing nearly 90% of a problem, you should participate in searching for a solution," he continued. "Instead, their lobbyists have prioritized fighting against policy solutions and even shifting the blame to urban centers that suffer the worst of these consequences."

The Ohio Farm Bureau previously said the report shows that agriculture must play a role in improving water quality. But a spokesman said new regulations aren't needed in the group's view.

Chemicals: The Ohio Environmental Council is requesting the U.S. Environmental Protection Agency crack down on toxic chemicals.

The request comes in the form of a petition for rulemaking filed by the council seeking new protections again carcinogen perfluorooctanoic acid and other substances that can be pumped into water and air by manufactures.

"These companies need to stop emitting these chemicals before extensively studying them, and our proposed rules would stop this dangerous practice," said Chris Tavenor, an OEC law fellow.

Copies of the request were also submitted to President Donald Trump, Gov. John Kasich, Ohio EPA Director Craig Butler, Attorney General Mike DeWine and members of Ohio's congressional delegation.

Ohio Lands $26 Million In Federal Opioid Funding; Senators Applaud Disaster Request Approval...

For the second consecutive year, Ohio is poised to receive a $26 million funding infusion to buoy efforts to combat the opioid epidemic.

The funding announced this week comes from the 21st Century CURES Act passed in 2016. It's part of $485 million in grants to be divvied up among states this year. Ohio received a similar amount of dollars under the program last year during the first round of funding. (See Gongwer Ohio Report, April 20, 2017)

"This is good news for Ohio, and these new funds will help our efforts to combat the heroin and prescription drug epidemic gripping our state," U.S. Sen. Rob Portman (R-Terrace Park) said in a statement. "This is another positive step forward, but we must do more, and that's why I continue to push for common-sense solutions like the STOP Act and CARA 2.0 that will help us turn the tide of addiction in Ohio and around the country."

U.S. Sen. Sherrod Brown (D-Cleveland) likewise applauded word of the additional funding.

"For too long, Ohio communities have been desperate for the federal government to step up and provide the necessary resources to effectively combat the opioid epidemic," Sen. Brown said. "While we know there is more work to be done, this funding is a meaningful step forward for Ohio. It's important that the state work to get this funding out to local communities quickly as they continue to battle this epidemic."

The dollars are aimed at boosting evidence-based programs and are overseen by the U.S. Department of Health and Human Services.

Emergency: Sens. Brown and Portman also welcomed President Donald Trump's approval of Gov. John Kasich's request for disaster assistance following largescale flooding in February. (See Gongwer Ohio Report, April 17, 2018)

Sen. Brown said the declaration "will go a long way in helping reassure Ohio communities impacted by last month's devastating floods that they are not alone."

Sen. Portman said, "It will allow our affected communities to get much-needed federal assistance following this winter's terrible storms."

Wright-Patterson: Ohio delegates urged the Pentagon to pick the Dayton-area Air Force base to house the F-35 Hybrid Product Support Integrator Organization.

Wright-Patterson is "uniquely qualified" to handle that role, which could mean an additional 400 jobs, all of Ohio's senators and representatives wrote to Secretary of the Air Force Heather Wilson.

"Based on the criteria used during the strategic basing process, we believe WPAFB's workforce makes the base the logical location for HPSI," the lawmakers wrote. "The basing process specifically requires acquisition professionals who are Defense Acquisition Workforce Improvement Act certified with tactical fighter support experience, and WPAFB's workforce of engineers, programs managers, logistics managers, and contracting personnel would provide HPSI with an exceptional staff."

Chamber Of Commerce Endorses Issue 1; P&G, Key, More Report Financial Results; Toledo Businesswoman Added To SBAC

The Ohio Chamber of Commerce has thrown its support behind a ballot issue aimed at reforming the state's redistricting guidelines.

The group's board of directors earlier this week voted to support Issue 1.

"The Ohio Chamber has long recognized the need for sensible changes to the redistricting process and we are pleased to join the bipartisan coalition supporting State Issue 1," President & CEO Andrew E. Doehrel said in a statement. "Job creators know the value of a fair and competitive playing field in the marketplace, and State Issue 1 will bring this element of necessary, healthy competition to congressional campaigns, as well."

Mr. Doehrel said the group twice in the past 15 years opposed redistricting efforts that "did not represent a consensus approach."

Procter & Gamble: The Cincinnati-based company saw net sales of $16.3 billion in the third quarter, up by 4% from the previous year.

Organic sales increased 1% for the quarter ended March 31, P&G reported. Diluted net earnings per share were $0.95, an increase of 2%.

Operating cash flow was $3.4 billion for the quarter, while adjusted free cash flow productivity was 95%, according to the company.

P&G returned $3.2 billion to shareholders via $1.8 billion of dividend payments and $1.4 billion of common stock repurchase.

"We delivered modest top- and bottom-line growth in a challenging macro environment in the third quarter," Chairman, President and CEO David Taylor said in a statement. "We have large businesses in several difficult markets. The ecosystems in which we operate around the world are being disrupted and transformed. We will change at an even faster rate -- winning through superiority, cost and cash productivity and a strengthened organization and culture."

KeyCorp: The Cleveland-based company reported. $402 million in net income, or $0.38 per common share, in the first quarter.

The financial services company reported net income of $296 million over the same period in the previous year.

"First quarter was a good start to the year, with continuing momentum in our core businesses, as we grew and expanded relationships with our targeted clients," Chairman and CEO Beth Mooney said in a statement. "Revenue increased over 3% from the same period last year, driven by a higher net interest income, solid loan growth and stronger fee income."

First Financial: The Cincinnati-based bank reported net income of $30.5 million, or $0.49 per diluted common share, in the first quarter.

First financial reported net income of $24.8 million, or $0.40 per diluted common share, in the previous quarter.

"We are extremely pleased with our strong first quarter performance, representing our 110th consecutive quarter of profitability and top-quartile level returns," Executive Chairman Claude Davis said in a statement. "We are also excited about our recent merger with MainSource which closed on April 1st. We welcome our new colleagues from MainSource and together look forward to building an even stronger company going forward."

SBAC: Lt. Gov. Mary Taylor has appointed Jennifer Zalecki to the Small Business Advisory Council.

Ms. Zalecki serves as president and CEO of Toledo-based Battery Wholesale. The company, which Ms. Zalecki's father founded in 1983, operates seven retail stores in the greater Toledo area.

"Jennifer has been an effective small business advocate through her service to the Toledo Regional Chamber of Commerce and has demonstrated her high business acumen through the success of her own company," Lt. Gov. Taylor said.

Governor's Appointments

Ohio Thoroughbred Race Fund Advisory Council: Kimpton E. Williams of Waynesville for a term beginning April 20, 2018, and ending January 31, 2021.

State Board of Emergency Medical, Fire, and Transportation Services: Capt. Kevin T. Uhl of Sycamore Township for a term beginning April 20, 2018, and ending November 12, 2019.

Public Benefits Advisory Board: Dasmine Wright of Columbus for a term beginning April 20, 2018, and ending June 30, 2018.

Supplemental Agency Calendar

Monday, April 23

Human Trafficking Commission, 18th Fl., 150 E. Gay St., Columbus, 2 p.m.

Friday, April 27

Accountancy Board, 77 S. High St., Conference Room West B & C, 31st Floor, Columbus, 10 a.m.

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